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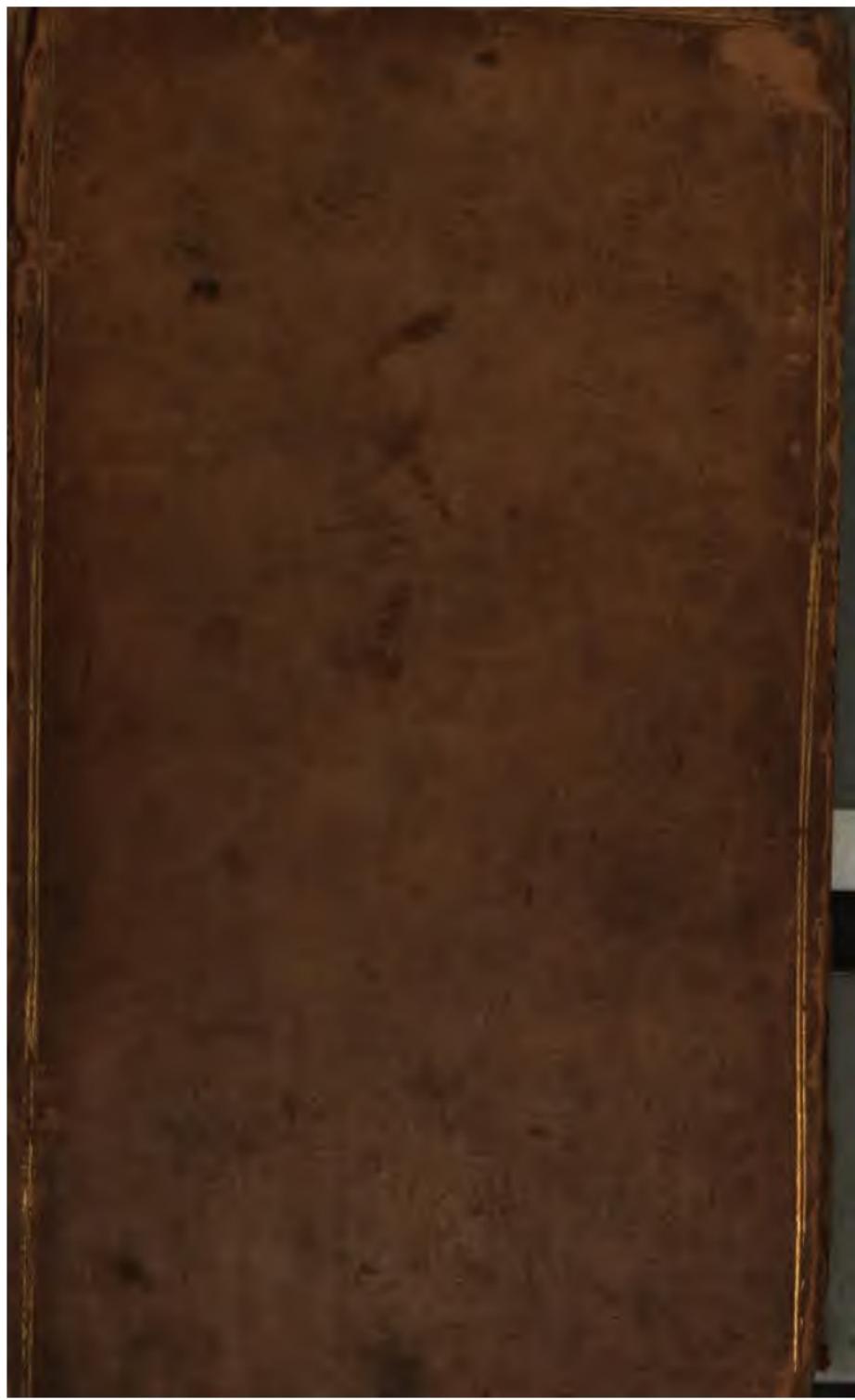
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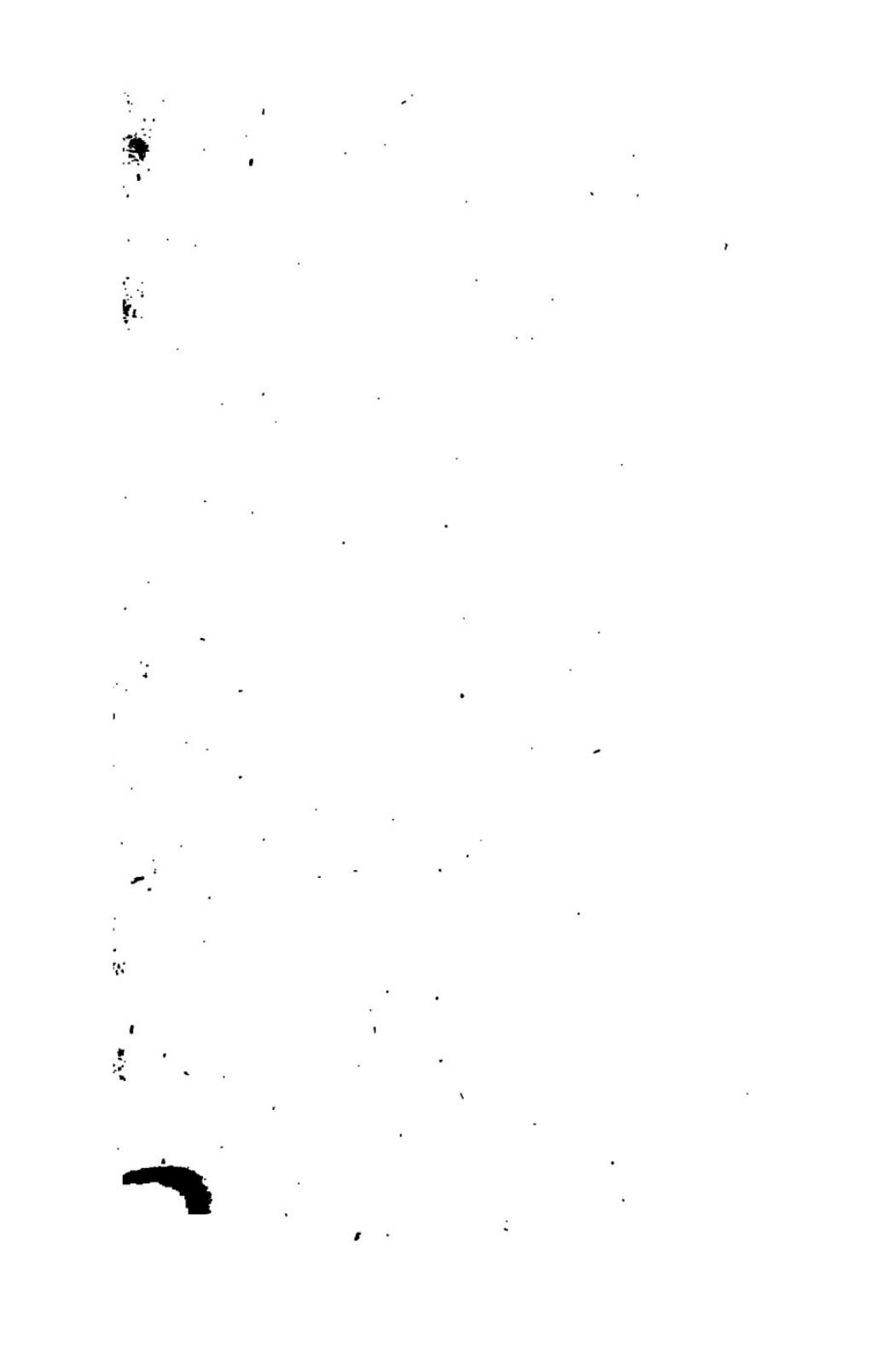
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T I T U S L I V I U S ' s  
R O M A N H I S T O R Y

F R O M

The Building of the CITY.

W I T H

The Supplement of JOHN FREINSHEIM.

Translated into ENGLISH, and illustrated with  
notes historical and geographical.

In EIGHT VOLUMES.

E D I N B U R G H:

Printed by A. DONALDSON and J. REID,  
For ALEXANDER DONALDSON.

M D C C L X I.



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VOLUME I.

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P. M. 11. 9/

28

## THE EDITOR's PREFACE.

THE editor of the following translation of Livy's Roman history, before giving an account of the life of the author, and the character of his work, thinks it not improper to inform the reader of the reasons of this publication, not formerly undertaken in this part of the united kingdom.

The importance of this celebrated work, the high price of the translation first published at London in 1744, and the earnest desire of several gentlemen to have a neat edition of Livy in English, at a moderate price, were the principal reasons for the present undertaking.

As to the translation, it must be confessed that considerable use has been made of the aforementioned English version: at the same time great pains has been taken in comparing it with the best editions of the original Latin, and correcting many errors. How far success has attended this arduous task, must be left to the judgment of the candid reader.

To render the history more entertaining and intelligible, the work is illustrated with notes, in which the exact situation and modern names of the several countries and towns mentioned in the work, are given, and many of the Roman customs explained. But it is now time to proceed to our author.

There is nothing about which we inquire with more avidity than whatever regards the life and circumstances of such authors, whose names are immortalized by their works. Curiosity however finds little satisfaction in her researches about Titus Livius: for whether it was, that, regardless of

the commerce of the world, and his own promotion, he was delighted only with philosophical retirement and humble privacy, certain it is that we are little acquainted with his rank, employments, adventures, and the state of his fortune in general. It is only known that he was of Padua, contrary to the opinion of Sigerius, Pignorius, and some others, who make the village of Aponus the place of his birth, trusting to the supposed testimony of Martial in one of his epigrams. It is known also, that he was descended of a family sufficiently illustrious, since it had the honour to give consuls to the republic of Rome: that he lived under the empire of Augustus; that he dedicated to him those dialogues which he published on the philosophical questions of the times; that by this means he made himself known to that emperor, and obtained his favour: that he afterwards wrote a treatise on eloquence, inscribed to his son, and much commended by Quintilian: that he began his history at Rome, in order that he might have recourse to such memorials and original papers, preserved in the Capitol, as might assist him in disentangling and removing those intricacies and doubts concerning the origin of the city, produced by the fabulous traditions in which it was involved; that some time after he retired to Naples, that he might be less interrupted in his labours; that after this he recited to Augustus and Mæcenas some places of his history, with which they were much moved; and that Augustus, upon the good opinion he had conceived of him, chose him to instruct and form the mind of his grandson Claudio, afterwards emperor\*. Pliny the younger says, that the reputation of this great man had already begun to make so much noise in the world, that a stran-

\* Sueton. in Claudio, c. 42.

ger came to Rome on purpose to see him, from the extremity of Spain, whither the fame of his great and extensive genius had even then penetrated.

After the death of Augustus, he returned to Padua, where he was received by his fellow-citizens with extraordinary honours, and he died there in the 4th year of the empire of Tiberius. His stay at Rome, and the protection of Augustus, furnished him with opportunities of attaining all the knowledge necessary for the execution of his design; his zeal for which so much attached him to study, and alienated his desires from the pursuits of fortune, that henceforth his life became somewhat obscure: because, applying only to the great work he had in hand, he shut himself up in his study, and lived totally sequestered from the commerce of society. Surely much greatness of soul was required to form the project of so vast and glorious an enterprise; for whatever genius one have, it is alone from the nobleness of the heart that those elevated and generous sentiments arise, from which a great work derives its beauty and its excellence.

Livy appears also to have been a man of worth. We need only peruse his works to be prepossessed in his favour, and to conceive a high idea of his probity. As for vanity, from the manner in which he speaks, he seems to be entirely above it. Not only does he never mention himself personally, nor is any thing taken notice of which concerns him, in the whole course of his history; but scarcely should we have known the time in which he wrote, had it not been for the accidental circumstance of his mentioning, that the temple of Janus had only been twice shut since the reign of Numa, once during the consulate of Manlius, and the second time by Augustus. The strain of modesty which runs through the introduction

duction to his history, is sufficient to show its author's disposition. Never did man promise so little, at the commencement of a work from which so much might be expected. It is with trembling that he discloses his design, and with distrust of his capacity to support so great an undertaking. But it is only to give us more that he makes us expect less; he is only timid because he is wise; for commonly a man is modest in proportion as he is judicious. This modesty is one of the most amiable qualities of an author who meditates any thing great: there is nothing which gives a greater idea of his judgment than this distrust: the thorough perception of the grandeur of his subject is a proof of his capacity, and one of the best testimonies of the probity of the historian. For what fund of wisdom, and politeness of manners is not required thus to depress that pride which is so natural to man, and to do one's self justice without flattery? It is for this that Livy attracts admiration as soon as he opens his mouth. But after thus giving so disadvantageous an idea of what we are to expect, by the manner in which he treats himself, he very soon opens to us the clearness of his comprehension, the depth of his sagacity, the extent of his genius, the fertility of his imagination, and, in short, a thousand beauties and a thousand richesses, for which we should never have looked, had we only reckoned on his promises.

As to his sincerity, it sustained as great a trial as it could possibly undergo without corruption. That esteem which Augustus had for him, and even that favour to which he elevated him, could not hinder him from speaking generously not only of Pompey, but also of Cassius and Brutus, that emperor's greatest enemies; from treating with honour the memory of the vanquished, so to speak, before the face of the victor, and from pointing out

but as worthy men the murderers of Cæsar, because they were lovers of their country. It is this conduct in Livy, which, as Tacitus assures us, Cremutius Cordus thought he could never honour with adequate praise.

Such was Livy in the qualities of his heart, and his personal endowments. And indeed it seems that something would have been defective in the glory, or rather the good fortune of a people who had rendered themselves masters of the world, had they not enjoyed so great a man for their historian. It is this also, doubtless, which gave rise to the famous inscription which was found at Padua in the year 1413, in the church of St Justina. *Offa T. Livii Patavini unius omnium mortalium judicio digni, cuius prope invicto calamo, invicti populi Romani res gestæ conscriberentur.*

The plan of history is to instruct and improve the present ages, by presenting the picture of the past. When we consider their duty, and the various accomplishments requisite for executing it well, we shall easily perceive the reason why the most learned and polished nations have boasted of so few perfect historians. All that we require in the philosopher, the politician, the poet, the orator, or the man of the world, must center in the historian. To accuracy and diligence in his researches, symmetry and proportion in the arrangement of his matter, elegance and nervousness of diction, freedom and impartiality in his reflections, he must join a thorough acquaintance with the constitution of the state whose actions he records, and the discriminating characters of its various ages, an intimate knowledge of the human heart, and above all, an honest, virtuous, steady, and unbiased disposition. The more extended the historian's subject is, the greater variety of examples it exhibits, the more genius is required to treat it properly, and

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and the more unlimited the advantages we gain from it.

As to Livy's subject, when we consider it accurately in all its circumstances, there can perhaps be imagined none more beautiful. In relating the actions of the Romans, he gives us the history of a people, who from the lowest and most dishonourable origin, by correcting their vicious manners, by prudence in their councils, by vigilance in the execution of their designs, by secrecy and fidelity in their negotiations, by inviolable severity of civil and military discipline, and unshaken firmness in maintaining them amidst the most imminent dangers, arrived to a pitch of glory almost incredible, and who owed their elevation alone to the vigour of their constitution, and their virtuous principles. Where can the imagination obtain a more sublime delight than in contemplating that mighty empire, the virtues which promoted its elevation, or the vices which hastened its ruin ; and in seeing pass in review before it so many illustrious personages, concerning whom we now judge unperverted by prejudice and undazzled by greatness ? Where is the understanding more enlarged, than in thus living over past ages, profiting by all their experience, and piercing into the motives of every action, and cause of every event ? Where can there be more incitement to virtue than from the example which the ancient Romans afford us of modesty, frugality, generosity, disinterestedness, love of their country, and all those inestimable virtues which have rendered them the admiration of succeeding times ? It was in this view that Livy considered his subject ; in which he saw such favourable opportunities for the exercise of his genius, and which he knew so well to improve. Full of these ideas, he bent all his thoughts towards the acquisition of that knowledge he deemed

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ed necessary for the execution of the noble plan he had formed in his mind. It was at this period that he attained, in the court of Augustus, where such perfect models of every refined excellence were before him, that polish of sentiment, refinement of manners, and force of expression, which shine every where in his works, and that he heightened and confirmed in himself that noble ardour of virtue which every where animates them. It was here, by the commerce he enjoyed with the ministers and generals of Augustus, that he studied the constitution of his country, and instructed himself in the art of war: it was at this time that, by the emperor's protection, he had access to those records preserved in the Capitol, whence, and from the aids afforded him by the representatives of ancient families, he collected the materials of his work.

No sooner had he sufficiently prepared himself for his task, than he renounced every hope of elevation, and allurement of pleasure, and retired from society to give himself up entirely to its completion. What was the success of such unwearied application, the world sufficiently knows. Were we to pretend to give a character of Livy's work, we shculd anticipate the reflections every reader will make on the perusal of it, and superfluously repeat, that it answered entirely the aim which he had in composing it. Thus far have we extracted from Father Rapin's discourse on history, and his comparison between Livy and Thucydides \*.

To this shall only be added that short and comprehensive character given him by the learned and judicious M. Rollin, in his Roman history, and conceived in these terms. "Nothing," says he, "is above that illustrious historian's merit. The beauty and elevation of his style is equal to the

\* Viz. les œuvres du P. Rapin, 3 tomes, Amsterdam 1709.

"greatness

“ greatness and glory of the people, whose history  
“ he writes. He is every where luminous, intel-  
“ legible, agreeable : but when he enters into im-  
“ portant affairs, he rises even above himself, to  
“ treat them with peculiar attention, and a kind of  
“ self-delight and complacency. He renders the  
“ action he describes present ; he sets it before the  
“ eyes, he does not relate it, he shews it. He  
“ paints the genius and character of the person-  
“ ages he brings upon the stage after nature,  
“ and puts into their mouths words, which are  
“ always conformable to their sentiments and dif-  
“ ferent situations. In short, he has the wonder-  
“ ful art of keeping his readers in so pleasing a  
“ suspense by the variety of events, and to en-  
“ gage their curiosity so strongly, that they can-  
“ not quit his relation of an incident till it is en-  
“ tirely at an end.”

T I T U S

T I T U S L I V I U S ' s  
R O M A N H I S T O R Y

F R O M

The Building of the City.

B O O K I.

A B R I D G M E N T.

I. II. *The coming of Aeneas into Italy, and his achievements there.* III. *The reign of Ascanius in Alba, of Aeneas Silvius, and the rest of the Silvian family.* IV. *Numitor's daughter with child by Mars; Romulus and Remus born.* V. *Amulius killed.* VI. *The city of Rome built by Romulus.* VIII. *He chuses a senate.* IX. *Makes war upon the Sabines.* X. *Presents the opima spolia to Jupiter Feretrius.* XIII. *Divides the people into curiae.* XIV. XV. *Conquers the Fidenates and the Veientes.* XVI. *And is deified.* XVIII. *Ec. Numa teaches the rites of religious worship, builds a temple for Janus; and having made peace with all his neighbours, shuts it for the first time. By pretending to hold conferences with the goddess Egeria in the night, he prevails on the minds of a warlike people to submit to his religious institutions.* XXII. *Ec. Tullus Hostilius makes war upon the Albans.* XXV. *The combat of the three twin-brothers.* XXVI. *Horatius acquitted for killing his sister.* XXVIII. *The severe punishment of Mettus Fufetius.* XXIX. *Alba is destroyed.* XXX. *The Albans made citizens of Rome. War declared against the Sabines.* XXXI. *Tullus killed by lightning.* XXXII.

VOL. I.

A

Ancus.

## 2 TITUS LIVIUS's Book I.

*Ancus Marcius renews the religious institutions of Numa.* XXXIII. *The Latins conquered; made free of the city: have the Aventine hill assigned them to dwell in: Polytorium a Latin city, which the ancient Latins had surprised, taken and utterly demolished: a wooden bridge built over the Tiber: the hill Janiculum added to the city: the bounds of the empire enlarged: Ostia built.* XXXIV. *Lucumo the son of Damatus a Corinthian comes to Rome; is taken into the King's confidence, assumes the name of Tarquin, and, after the death of Ancus, is raised to the throne.* XXXV. *He increases the senate; subdues the Latins; marks out the circus, and exhibits games.* XXXVI. *Carries on a war against the Sabines; augments the centuries of knights: tries the skill of Attus Navius the augur.* XXXVII. *Beats the Sabines in a battle.* XXXVIII. *Builds a wall round the city, and makes the common sewers.* XL. *After a reign of thirty-eight years, is killed by the sons of Ancus Marcius.* XLI. *He is succeeded by Ser. Tullius the son of a noble captive taken at Corniculum, whose head is said to have been surrounded with a flame, when a child in the cradle.* XLII. XLIII. *He routs the Veientes and Etruscans in battle: first instituted the census: finishes the lustrum, in which eighty thousand citizens are said to have been inrolled: divides the people into classes and centuries.* XLIV. *Enlarges the Pomærium, and adds the Quirinal, Viminal, and Esquiline hills to the city.* XLV. *In conjunction with the Latins he builds a temple to Diana.* XLVI. XLVII. *Is murdered by L. Tarquin the son of Priscus, at the instigation of his own daughter.* XLIX. *L. Tarquin surnamed the Proud usurps the crown, on the same day that his wife Tullia drove her chariot over the body of her father lying in the street: has a band of armed men to guard his person.* L. LI. *He murders Turnus Herdonius by treachery.* LIII. *Overcomes the Volsci, and, with the plunder taken from them, builds a temple to Jupiter Capitolinus: incorporates the Latins with the Roman soldiers.* LIV. LV. *By a stratagem of his son Sextus Tarquin, reduces the city Gabii.* LVI. *Sends a colony to Signia and Circeum:*

*ceterum: upon the appearance of a frightful prodigy, he sends two of his sons, and with them Brutus, to consult the oracle at Delphos.* LVII. *In the camp before Ardea, a dispute arises about the character of their wives.* LVIII. *Lucretia is ravished, and stabs herself.* LIX. *The family of the Tarquins is banished.* LX. *L. Junius Brutus and L. Tarquinius Collatinus first created consuls.*

## P R E F A C E.

**W**HETHER I shall do a work of any importance, if I shall write the history of the Roman people, from the foundation of the city, I am neither very certain; nor if I was, dare I say it: as I see the same pretence is used by all authors; every new writer still persuading himself, that he will either represent matters of fact with more impartiality, or, in the art of composition, excel illiterate antiquity. Be that as it may, it will, however, be a satisfaction to me, to have done my utmost to perpetuate the memory of the achievements of a people, the lords of the world; and with theirs, my own: and if in such a number of historians my reputation should be eclipsed, I may comfort myself with the dignity and greatness of those who shall obscure my name. Besides, the history of this state is a work of immense labour, as it must be traced back upwards of seven hundred years; and proceeding from small beginnings, has grown to such a pitch of greatness, that it now totters under its own weight: and to the most part of readers, I doubt not, that its origin, and the ages immediately succeeding, will afford less pleasure, while they hasten to these later times, in which the power of this overgrown people has, for a considerable time, been working

its own ruin. On the contrary, I shall expect from this a farther reward of my labour, as it will afford me an opportunity of withdrawing myself from the view of those calamities, which our age, for so many years, has beheld, so long at least as I shall be wholly engaged in reviewing those ancient times; free from all that concern, which, though it cannot make a writer deviate from the truth, fills him however with uneasiness and anxiety.

The accounts given us of what happened either before or at the building of the city, agreeing rather with the embellishments of poetical fiction, than the incorrupted vouchers of true history, it is not my intention either to affirm or disprove. This indulgence is granted to antiquity, that by blending things human with divine, it may render the origin of cities more venerable: and if it is to be allowed to any people to consecrate their original, and refer to the gods as their authors, such surely is the glory of the Roman people in war, that when they boast of Mars the god of war chiefly as their author, and the father of their founder, the nations of the world may bear it as patiently as they tamely submit to their yoke. But whether these, and the like accounts be censured or approved, I shall indeed very little regard. Let every man, with me, apply himself seriously to consider, what their life and what their manners were; by what men and by what measures, in peace and war, their empire was both established and enlarged. When, by degrees, their discipline began to relax, let him still go on to observe, first, the declension of their manners, next, their constant visible decay, lastly, their total degeneracy, till he comes to the present age, when we can neither bear our political distempers, nor endure the proper remedies. In the knowledge,

knowledge of history, this is the principal use and advantage, that you have examples of all kinds set before you, in a striking light; thence you may chuse for yourself and your country, what you ought to imitate; thence you may likewise judge what ought to be avoided, as being shameful in the beginning, and fatal in the event. But either the love of the work I have undertaken deceives me much; or there never was any state greater, more religious, or better stored with good examples; nor into which luxury and avarice crept so late; and where poverty and frugality were, for so long a time, held in such honour, that the less wealth they had, the less they desired. Lately riches brought in avarice, and an excess of pleasures introduced a propensity to waste and squander every thing by luxury and riot. But as complaints of this kind may not be agreeable, even when perhaps they will be found necessary, let them have no place at least in the beginning of so great a work. We should rather chuse, if it was usual with historians, as it is with poets, to begin with good omens, with vows and prayers to the gods and goddesses to vouchsafe success to this great undertaking.

**C**HAP. I. **N**OW first of all, it is sufficiently certain, that, at the taking of Troy, all manner of cruelty was exercised upon the surviving Trojans; two only, Æneas and Antenor, both on account of ancient friendship, and because they had always advised peace and the restoring of Helen, being exempted by the Greeks from the fate of war: That Antenor, after having run through a long series of adventures, arrived at last in the interior gulf of the Adriatic sea, being followed by a multitude of the Heneti, wh<sup>t</sup>, being expelled Paphlagonia by

civil discords, and having lost their king Pylæmenes at Troy, were now seeking both a leader and a settlement. The Trojans and Heneti driving out the Euganei, who dwelt between the Alps and the sea, took possession of their country. The place where they first landed, was called Troy, and thence it had the name of the Trojan district: the people in general were called Veneti. That Æneas driven from his country by the same disaster, but conducted by the fates to lay the foundation of a greater state, came first into Macedonia, and going thence in quest of a new settlement, was driven to Sicily, and from that island sailed with his fleet to the country of the Laurentes.\* This place was likewise called Troy. There the Trojans went ashore, when having nothing left, after their tedious and painful voyages, excepting their arms and ships, they fell to plundering the country. King Latinus and the Aborigines †, who then possessed those parts, came armed in a body, from city and country, to repel the violence of the invaders. Of what followed there are two accounts. Some say, that Latinus, after being defeated in battle, first made peace, and afterwards an alliance by marriage, with Æneas: others, that while the armies stood in battalia, and before the signal was given, he

\* The metropolis of this country was Laurentum, so called from the multitude of laurel-trees growing about it. Varro, b. 4. *Of the Latin tongue.* Its territories, which were but small, lay on the east side of the river Tiber, in the present Campagna di Roma, and abounded with wild boars, as its lakes did with frogs. It is now called *Torre di Paterno*.

† Some think they were so called *quasi ab origine*, i. e. original inhabitants of that country. Others say from their being vagrants, *quasi Aberrigines*. Others, mountaineers, *περὶ τῆς ἐν τοῖς ὄγεσιν οἰκήσεως*, from their dwelling in the mountains. The etymology of their name must then be *περὶ ὄγεσιν νόμος*. Festus Pompeius declares for the second, and Dionysius Halicarnass. in his first book, mentions all these three derivations of their name.

advanced amidst his nobles, and invited the commander of the foreigners to a conference. He then inquired, who they were, and whence they came? by what misfortune they had been driven from home? and what they intended by landing in the country of the Laurentes? When he understood the people were Trojans; that their leader was Æneas, the son of Anchises and Venus; and that, ever since the wasting of their country by fire and sword, they had been wandering in quest of a settlement and a place where to build a city; admiring both the dignity of the man, and of his family, and his undaunted resolution alike indifferent either to peace or war, he gave him his right hand as a pledge of future friendship. Upon this a league was concluded between the two chiefs, and the armies saluted each other. Æneas was entertained by Latinus, who, in presence of his household gods, added a domestic alliance to the national league, by giving him his daughter in marriage. This transaction confirmed the Trojans in their hopes, that here at last would end the fatigue of their wandering, in a well-fixed habitation. They built a city, which Æneas called Lavinium \* from his wife's name. By this marriage they soon after had a son, whom his parents named Ascanius.

CHAP. II. It was not long after this, when hostilities were begun against both the Aborigines

\* It seems to have been situated on that hill which is now called *Monte di Levane*, where Patrica now stands. Dion. Halicar. in his first book, says, that it was but half a mile distant from the sea; and according to Strabo it lay between Ostia and Antium. Some have contended it was the same with Lanuvium; but the difference between these two cities may be seen in Carolus Siginus's scholia on the 8th book of Livy. For this see likewise Dausq. ad Silium, p. 546.

and

## 8 TITUS LIVIUS's Book I.

and Trojans. Turnus king of the Rutuli\*, to whom Lavinia had been contracted before the coming of Æneas, taking it ill that the preference was given to a stranger, made war at once on Æneas and Latinus. Neither side came off from battle with much cause of triumph. The Rutuli were defeated: the Aborigines and Trojans, though victorious, lost their king Latinus. After this overthrow, Turnus and the Rutuli, being now diffident of their own strength, applied to the flourishing state of the Etrusci †, and their king Mezentius. This prince reigned over Cære, at that time a wealthy city. And as he had conceived no great joy at the first founding of Lavinium, and now thought the Trojan power was growing to a height not altogether so consistent with the safety of its neighbours, he very

\* They dwelt on the sea-coast of the present Campagna di Roma between Patrica and Nettuno.

† Called likewise Tuscī, and by the Greeks, Tyrrheni, they inhabited that part of Italy which is called Etruria, Tuscī, and Thuscī, and extends itself from the Alps to the straits of Sicily, and in breadth, from the Tyrrheian or lower sea to the Apennine hills. This mighty state was divided into twelve cantons or lucumonies; each of which was ruled by a chief, with a sort of sovereign authority. The names of the capital cities of these lucumonies are as follows, Clusium, Perusia, Croton, Arretium, Volaterra, Vetulonium, Rusellæ, Tarquinii, Volsinii, Falerii, Veii, and Cære. To this last the Romans fled, upon the taking of Rome by the Gauls, in the year of the city 365; for which the inhabitants were made free citizens of Rome, but without the right of suffrage, or voting at the election of the magistrates. Hence it came, that the registers, in which the Censors set down the names of such persons as they deprived of their suffrage or vote, were called *Cerites tabulae*. Festus and Val. Max. say that from *Cære* and *manci*, to remain, the religious rites were called ceremonies; because the Romans, who carried with them their gods and the fire of the goddess Vesta, which was never to be let out, continued to perform their sacred rites during their stay at Cære. It was from this country of Etruria, that the Romans learned their arts, sciences, religious institutions, and beside their conquest of Greece sent their children thither to be educated. Cære is now a small town in St Peter's *metropolis*, called *Cerveteri*.

readily

readily joined his troops to those of the Rutuli. Æneas, providing against the danger threatened him by so powerful a confederacy, and the more effectually to conciliate to himself the friendship of the Aborigines, united the two nations under one name as well as government, and called them both Latins. Nor did the Aborigines after this ever yield to the Trojans in point of zeal and loyalty to their sovereign. And therefore, notwithstanding the Etrusci were so strong, that the fame of their prowess had filled not only the inland country, but also the sea-coast of Italy, from the Alps to the streights of Sicily; and though Æneas might well have avoided coming to an engagement by defending himself within his walls, yet firmly relying on the affections of these two nations, which united every day more and more, he drew out his army into the field, and gave the enemy battle. Here the Latins obtained a second victory; and this was the last action of Æneas's life. By whatever name it is lawful or fit he should be called, he lies interred on the banks of the river Numenius \*, and is known by the name of Jupiter Indiges †.

CHAP. III. Ascanius, the son of Æneas, was not yet old enough to take the government upon him: his dominions however were preserved to him entire till he was fourteen years of age, under the guardianship of Lavinia, whose abilities were so great, that the Latin state and the kingdom of his father and grandfather remained, during this time, firmly attached to the young prince. I am far from being certain, (for who would affirm a thing of so ancient a date?), whether this was that Ascanius Iulus, or one elder

\* Now Rio di Nemi, a rivulet. It ran close by Lavinium.

† Men deified were called by this name.

than he, born of Creusa before the destruction of Troy, who accompanied his father in his flight, whom the Julian family call the author of their name. This prince, where-ever born, or of whatever mother, was certainly the son of Æneas. Lavinium being overstocked with inhabitants, he left that flourishing, and, considering these times, wealthy city, to his mother or stepmother, and built for himself a new one at the foot of Mount Alba, which, being extended on the declivity of a hill, was, from its situation, called Longa Alba \*. Between the founding of Lavinium and the transplanting this colony to Longa Alba, near thirty years intervened. Yet its power had increased to such a degree, especially after the defeat of the Etrusci, that not even upon the death of Æneas, nor, after that, during the regency of Lavinia, and the first essays of a youthful reign, did either Mezentius, the Etrurians, or any other of the neighbouring governments, dare to take up arms against it. A peace had been concluded between the two nations on these terms, that the river Albula, now called Tiber †, should

\* Called Longa, from its being extended the whole length of a lake near which it was founded. Dionys. Hal. b. 1. Alba, white, from the white sow which Æneas found, in the place where it was built, on his landing. Tibullus, 2. 5. Prop. 4. 1. Virg. Æn. 3. Juven. sat. 12. Its wines are much celebrated by Horace, Pliny, and many others. It is now called Palazzola, and is situated between Monte Cavo, and the lake of Castello Gandalpho.

† The most noted river in Italy, rising out of the Apennine mountains. It divides Tuscany from Latium, and runs between Rome and the hill Janiculum. It empties itself into the sea by two mouths, at a small distance from each other. It was formerly called Albula, from the whiteness of its waters, according to Pliny. Our author says, that its name was changed into that of Tiber, from Tiberinus, the Alban king, who was drowned in crossing it. But Servius asserts, that the name of Tiber was older than Alba itself, and was derived from Tibris, a king of the Etrurians, who used to infest the adjacent country, and was slain nigh to it. It is now called Tevere.

be the common boundary between the Etrurians and Latins. After him Silvius, the son of Ascanius, born by some accident in a wood, ascended the throne. He was the father of Aeneas Silvius, who afterwards begot Latinus Silvius. This king led forth several colonies, and called them Ancient Latins. From this time, all the princes who reigned at Alba, had the surname of Silvius. To Latinus was born Alba; to Alba, Atys; to Atys, Capys; to Capys, Capetus, the father of Tiberinus, who, being drowned in crossing the river Albula, gave it a name famous among posterity. Then reigned Agrippa, the son of Tiberinus, who was succeeded by his son Romulus Silvius. The latter was killed by a thunderbolt, and left the kingdom to Aventinus, who was buried on that hill, which is now part of the city of Rome, and goes by his name. After him reigned Proca, father of Numitor and Amulius. To Numitor, his eldest son, he bequeathed the ancient kingdom of the Silvian family. But force prevailed more than the will of a father, or the reverence due to seniority. Amulius expelled his brother, and seizes the kingdom. Nor rests he here. To crime he superadds crime: he butchers his brother's sons; and, under shew of doing her honour, gets his daughter Rhea Silvia admitted a Vestal virgin, depriving her by this expedient of all hopes of issue.

CHAP. IV. But, in my opinion, the origin of so great a city, and the beginning of an empire next in power to that of the gods, was owing to the fates. The Vestal Rhea, being ravished, brought forth twins, and declared Mars was the father of her bastards, either because she believed it to be so, or because a god was a more honourable author of the crime. But neither

ther gods nor men protected her or her children from the cruelty of the king: the priestess was put into close confinement, and he commanded the children to be thrown into the very current of the river. By some kind of interpolation of heaven, the Tiber had, at that time, overflowed its banks, so that its main stream was inaccessible, by reason of the standing floods. They who brought the infants to be exposed, thought they could be drowned in any water however still; and accordingly, as if thereby they had effectually executed the king's orders, they laid them down in the nearest land-flood, where now stands the Ruminal fig-tree, which is said to have been formerly called the fig-tree of Romulus. The country thereabout was then a vast wilderness. The tradition is, that when the water, subsiding, had left the trough in which the children had been exposed, on dry ground, a thirsty she-wolf, coming from the neighbouring mountains to drink, was led to the very place by their cries; that she had so mildly stooped down to give them her dugs, as to be found, by the king's shepherd, gently licking them with her tongue. It is said, his name was Faustulus, and that he carried them to his cot to be nursed by his wife Larentia. Some are of opinion, that this Larentia was called Lupa among the shepherds, from her being a common prostitute; and that this appellation gave rise to the surprising story. The children, thus born and thus educated, when but very young, did not trifle away their time in tending of folds or following of flocks, but roamed and hunted in the forests. By this exercise, acquiring both strength and courage, they began now not only to encounter wild beasts, but even to make attacks upon robbers loaden with plunder, and to divide the spoil among the shepherds; and with them, their numbers

numbers increasing every day, to divert themselves with feasting and rural pastimes.

CHAP. V. Some assert, that the festival of the Lupercalia \* was even, at this time, solemnized on the Palatine hill, which, from Palanteum, a city of Arcadia, was first called Pallantium, and afterwards Mount Palatine. That Evander, descended of those Arcadians, and who, many ages before, possessed that country, had appointed the observation of this feast, which he had brought with him from Arcadia, to be solemnized by young men, who were to run about naked with all manner of mirth and wantonness, in honour of Pan Lyceus †, whom the Romans afterwards called

\* The Lupercal was a cavern dug in a rock, under Mount Palatine, consecrated by Evander to the god Pan, that he might preserve their flocks. Some authors pretend, that the cave was consecrated by Romulus and Remus, because the wolf that suckled them had retired thither. It is certain, that the Romans erected there a brazen statue, representing a wolf suckling the twins. Fulvius Ursinus supposes it to be the same which is to be seen now on the Capitol, at the palace of the Conservators.

The ceremonies observed in the celebration of this festival, were these: First, two goats and a dog were sacrificed; then the foreheads of two young men of quality were stained with the bloody knife; while others wiped off the blood, with locks of wool dipped in milk. The young men were always to laugh while their foreheads were thus touched. This done, the goat-skins were cut into thongs, with which the young men being armed, and covered only with a pair of drawers, ran about the city and fields, striking all they met. The married women suffered themselves to be struck by them, and believed these strokes to be helpers of conception and delivery. The Lupercalia seem to have been a festival of purification, which was celebrated on the fifteenth of February, which day was anciently called Februa. They ran naked, because Pan is always painted so: they sacrificed a goat, because the same deity is supposed to have had goat's feet. The dog was added, as a necessary companion to a shepherd. There were two colleges of the priests, who presided at these sacrifices; one whereof was for Romulus; and another for Remus; to which a third was added in honour of Julius Cæsar.

\* Or Lucae, from λύκος, a surname given to Pan, because

called Inuus. That the robbers, enraged at the loss of their plunder, and knowing the time when this festival was to be celebrated, fell upon them while they were engaged in these sports ; and though Romulus escaped, by making a gallant defence, that they took Remus, and delivered him captive to Amulius, loading him at the same time with grievous accusations. Their chief charge against them was, that, assisted by a banditti of young fellows they had got about them, they made incursions upon Numitor's lands, and plundered them in an hostile manner. Thus was Remus delivered to Numitor to be punished. Faustulus from the beginning had entertained hopes, that the children whom he had educated, were of the blood-royal ; for he knew that Rhea's children had been exposed by the king's orders, and that the time when this happened, corresponded exactly with that wherein he had taken them up : but he had been unwilling to disclose a secret, not yet ripe for discovery, till either a fit opportunity offered, or necessity should compel him. Necessity first drove him to it ; for now, concerned for the young mens safety, he discovers the whole affair to Romulus. It happened likewise, that Numitor, when he had Remus in custody, upon hearing that he had a twin-brother, by comparing their age, and observing their spirit to be free from every thing mean and servile, was struck with the remembrance of his grandchildren, and upon inquiry into the matter, was almost prevailed on to acknowledge Remus. Plots are laid against Amulius on all hands. Romulus makes no attempt against him with his band of young men,

cause he was thought to protect their flocks from the wolves. He was worshipped by the Arcadians with the utmost devotion, and, according to Macrobius, was styled by them *τὸν τοῦ Διὸς κύριον, lord of all material substances,*

*being*

being unable to effect his purpose in the way of open force ; but commanding the shepherds to come to the palace by different roads at a fixed time, he forces his way to the king. Remus, with another party from Numitor's house, assisted his brother, and so they killed Amilius.

CHAP. VI. Numitor, at the beginning of the fray, giving out that enemies had invaded the city, and assaulted the palace, had drawn off the Alban youth into the citadel to secure and garrison it. Afterwards when he saw the young men, coming from the murder of the king, and advancing to congratulate him, immediately calling an assembly of the people, he discovers to them the crimes of his brother against himself ; acquaints them with the birth of his grandchildren, how they had been born, how educated, and how they came to be known ; then he informs them of the murder of the usurper, and declares himself the author of it. When the young princes, coming up with their band through the middle of the assembly, had saluted their grandfather king, the united shouts of all the people present confirmed to him the regal title and authority. The government of Alba being thus committed to Numitor, Romulus and Remus had a strong desire to build a city on the spot where they had been exposed and educated. The country of the Albans and Latins was overstocked with people. The shepherds too had already come into the design ; and their numbers were such, as to give the greatest ground of hope, that Alba and Lavinium would be places of but small account, in comparison of the city which they intended to build. But the ambition of sovereignty, which had proved the bane of their grandfather, entered likewise into their designs, and

from thence arose a quarrel that proved fatal in the end, though at first matters were managed with sufficient temper. For as they were twins, and the respect due to seniority could not determine the precedence, they agreed to leave to the tutelary gods of the place to chuse, by augury, the person who should give name to the new city, and govern it when built.

**CHAP. VII.** Romulus chose the Palatine, and Remus the Aventine hill, to make their observations. It is said, that Remus had the first augury, which was six vultures; and that, when this was told to Romulus, upon his observing double the number, each of them was saluted king by his followers. The one party founded their claim upon the first observation, and the other on the number of the birds. Upon this they fell to high words; then the dispute growing warm, they came to blows, and in the scuffle Remus was slain. The common account is, that Remus, in derision of his brother, leaped over his newly-built wall; and that Romulus immediately slew him, in resentment of that insult, sharply chiding him withal, and adding words to this effect. "So shall it fare with every one, that in after time shall dare to leap over my fortifications." Thus Romulus alone gets the sovereignty, and the city is called after the name of its founder. He first fortifies the Palatine hill, where he had been educated; and performs the sacred rites in honour of the gods, those in honour of the rest, after the Alban manner; those in honour of Hercules, after the Grecian manner, as they had been appointed by Evander. There is a tradition, that Hercules, having killed Gerion, brought along with him, to those places, some cows remarkable for their beauty, and that, after swimming over

the

the Tiber, and driving his herd before him, being fatigued with travelling, he laid himself down on the banks of the river, in a place abounding with grass, to refresh them with rest and the delicious pasture. Here, as he lay fast asleep, overcharged with eating and drinking, a shepherd of the place, named Cacus, proud of his strength, and charmed with the comeliness of the cows, designing to make a prey of them, drew the most beautiful of the whole collection, one by one, by the tails, backwards into a cave; for had he driven them forwards, the marks of their feet would have soon guided their owner to his retreat. Hercules awaking at day-break, and surveying his herd, observed that some of them were missing, and went directly to the next cave, if haply their footsteps would conduct him thither. But when he observed, that they were all turned from it, and directed him no other way, confounded, and not knowing what to do, he began to drive his cattle out of so infested a place. Hereupon, some of the cows, as is usual with those animals, lowed for want of their lost companions; and the correspondent voices of those that were confined, resounding from the cave, induced Hercules to turn his steps towards that quarter. As he was advancing, Cacus endeavoured to stop him by force; but Hercules having knocked him down with his club, he died, vainly imploring the assistance of the shepherds. At that time Evander, who had fled from the Peloponnesus\*, ruled this country more by his credit and reputation, than in virtue of his being vested with lawful authority. He was a person highly revered, for his commu-

\* A large peninsula, now called the Morea. It received this name from Pelops, the son of Tantalus.

nimating to them the knowledge of letters \*, a discovery that was entirely new and surprising, to men ignorant of every art ; but more highly respected on account of the supposed divinity of his mother Carmenta †, whom those nations had admired for her prophetic spirit, before the coming of the Sibyl ‡ into Italy. This prince, called upon by the shepherds, hastily crowding round the stranger, whom they charged with open murder, hearing what Hercules had done, and the provocation he had received ; observing likewise that his size was larger, and his gait more majestic than human, asked who he was ? As soon as he was informed of his name, his father, and his native country, " Hail ! Hercules," said he, " son of Jupiter, my mother, a true prophetess, " hath revealed to me, that thou shalt increase " the number of the celestials ; and that to thee " an altar shall be here dedicated, which some " ages hence the most powerful people on " earth shall call Ara Maxima ||, and honour " suitably to thy own institution." Hercules having given him his right hand, replied, " That :

\* He polished and civilized the Italians his neighbours, and taught them to express their thoughts by visible characters. The Greek characters were the first they used ; of which there were some proofs remaining in the time of Augustus ; particularly the treaty which Tarquin the Proud made with the Gabini, which was written in Greek letters, though in Latin words, on a wooden shield, covered with the skin of the ox which was sacrificed on that occasion. Dion. Hal. b. 4. p. 246.

† From *carmen*, a verse ; she being a prophetess who sung her oracles in verse. The Greeks called her *Themis*.

‡ Women divinely inspired were so called, from *οὐετὸς βολὴ*, the will of God. It seems rather to be a common than a proper name. There were many of them, but the most considerable were the Persian and Cumæan.

|| It stood in the ox-market. In all verbal bargains they invoked Hercules to be the voucher of their faith, in this form of words, *Me Deus fidius, So may the god of faith help me.* Some take *fidius* for *filius*, and thence *medius fidius*, q. d. *Ita me Jovis filius juvet, So may the son of Jupiter help me.*

" he.

" he gladly accepted the omen, and would fulfil the pleasure of the fates, by building and consecrating an altar accordingly." There they first sacrificed to him a beautiful heifer chosen out of the herd ; the Potitii and Pinarii, at that time the chief families of the place, performing the service, and sharing in the entertainment. It happened, that the Potitii were present in due time, and had the entrails set down before them ; and when these were all eat up, the Pinarii came to the remainder of the feast. From this time it was ordained, that while the Pinarian family subsisted, none of them should eat of the entrails of the solemn sacrifices. The Potitii, being instructed by Evander, discharged this sacred function as priests of Hercules for many ages, till, after intrusting the solemn office of their family to public slaves, their whole race became extinct. This was the only foreign religious institution adopted by Romulus, who began so early to befriend that immortal renown acquired by virtue, to which his good fortune conducted him.

CHAP. VIII. Divine service being performed with all due ceremony, Romulus assembled his people, and prescribed them laws, the only practicable method indeed to unite them into the same society. And judging that these laws would strike his unpolished subjects with the greater awe, if he was adorned with ensigns of royalty, in order to give him the greater air of majesty, he distinguished himself by a particular habit, but especially by twelve lictors \* whom he appointed to attend him. Some think that he chose this number of officers from that of the birds, which

\* Officers who attended the kings, and afterwards the consuls, dictators, &c. They carried each a bundle of rods tied up with an axe, this for capital, those for smaller crimes.

By their flight had portended to him the kingdom; though I should rather incline to the opinion of those, who believe that the apparitors \* and lictors, and even this particular number of them, was taken from his neighbours the Etrurians, from whom likewise he borrowed the curule chair †, and the *toga praetexta* ‡. The twelve nations of Etruria in a general diet chose their king, and each of them assigned him a lictor, which gave occasion to that number. In the mean time the works of the city were extended; for they still continued to take in new ground, which they fortified more in hopes of a confluence of new comers, than for the sake of the present inhabitants. And that so spacious a city might not stand empty, the king, in imitation of the policy of those ancient founders, who, by drawing together persons of mean birth and low circumstances, feigned that a race arose to them out of the earth, opened an asylum in that place, which is now inclosed on the descent of the hill between the two groves. All who were fond of novelty, freemen and slaves,

\* The public servants of the magistrates had the common name of *apparitores*, from the word *appareo*; because they always stood ready to execute their masters orders. The most remarkable of them were the *scribae*, a sort of public notaries, who wrote the proceedings in court. They answered in some respects to our attorneys, inasmuch as they drew up the papers and writings which were produced before judges; *notarius* and *actuarius* signifying much the same office.

† A chair of state made of ivory, carved, and placed in a chariot. In it the chief magistrates of Rome used to be carried into council.

‡ A white robe reaching down to the ankles, edged with a purple lace, whence it was called *praetexta*. This robe was worn by the chief magistrates and senators, on festival-days, as a badge of honour. Among the other privileges which were granted to the Sabine women, this robe was assigned their children, and forbidden to all others; but we find that it became afterwards common, and was worn by girls till their marriage, and by boys till the age of seventeen years, when they took the manly gown.

without

without distinction, fled in multitudes from the neighbouring nations to this new sanctuary; and the accession of so many strangers first strengthened the growing greatness of the infant people. His power being now become considerable, he resolved next to put it under proper direction; and for that purpose chose an hundred senators, either because that number was sufficient, or because only so many were found, who could be raised to the dignity of fathers\*. It is certain, that out of respect they were called fathers, and their children patricians.

CHAP. IX. And now the Roman state was become so powerful, that it was a match for any of its neighbours; but, for want of women, its greatness could only last for one age; for they had no hopes of issue at home, nor had they any intermarriages with other nations. Therefore, by the advice of the Fathers, Romulus sent ambassadors among the neighbouring states, to beg alliance and intermarriage with a new people.  
 " That cities, like other things, rose from very  
 " mean beginnings: That those which were  
 " assisted by the gods and their own virtue, in  
 " time procured to themselves great wealth and  
 " a great name. They must be convinced, both  
 " that the gods had aided Rome in its rise, and  
 " that the inhabitants would not be wanting in

\* After Romulus had divided all the people into three tribes, and subdivided each of these into ten curiae, he formed the senate in the following manner: their body was to consist of one hundred persons, all patricians; of these he himself chose one, and ordered each of the tribes, and each of the curiae, to choose three: all these together amounted to the number required; so that the senate, in its original institution, consisted of one hundred patricians, ninety-nine of whom owed their seats there to the choice of the people. - See *Dissert. upon the constitution of the Roman senate*, added to a fragm. of Polybius, edit. London, 1742. And Kennett's *Roman Antiquities*, part 2. b. 3. ch. 2. p. 101. & seq.

" virtue;

" virtue: That they should not therefore refuse to unite their families and blood with them, who were men as well as themselves." This embassy is no where favourably heard: so much did the neighbouring nations despise the Romans, and such danger did they apprehend to themselves and posterity, by the sudden growth of this mighty state in the centre of their country. The ambassadors are dismissed, by the greater part, with a sneer, " If they had likewise opened an asylum for vagrant women? for by that method only could they be provided with suitable matches." The Roman youth, provoked at this railly, determined to have recourse to force. Romulus, therefore, to give them an opportunity of executing their designs, concealing his uneasiness, on purpose prepared solemn games in honour of Neptune Equestris \*. He called them Consualia †, and ordered them to be notified in the neighbouring towns. To make the shews as splendid as possible, and equal to the expectation of the strangers, they celebrated them with all the pompous preparations which at that time they either knew, or could afford. Great numbers flocked to Rome, especially their nearest neighbours, the Cæninenses, Crustumini, and Antemnates ‡, with a desire as much to see the

new

\* He was called *Equestris*, because, with a stroke of his trident, he is said to have raised the first horse out of the earth.

† As Romulus's project of carrying off the Sabine women by force had been the effect of long deliberation, he called the deity, whose worship furnished him with an oportunity of executing his design, *Consus*, i. e. *the god of counsel*; and thence the games were called *Consualia*. They were likewise called, by way of eminency, the Roman or great games, and consisted chiefly in chariot and horse races. They were celebrated in the month of August, in the great circus; and thence they were called the *ludi circenses*, or the *games of the circus*.

‡ It is uncertain where these cities stood. Cluverius, *Ital. Ant.*

new city as the shewes. The whole nation of the Sabines \* with their wives and children came. Being received and entertained with great civility by the different families; upon seeing the situation of the city, its fortifications, and the vast number of houses in it, they were surprised at its prodigious growth in so short a time. When the shewes came on, and while their minds and eyes were intent upon them, a disturbance happening, as had been agreed on, and a signal being given, the Roman youth ran different ways to carry off the virgins by force. The great part are hurried away, without any distinction, by those into whose hands they fell. Some of the most beautiful of them, designed for the principal senators, were, by persons appointed on purpose, carried to their houses. It is reported, that while the party of one Thalassius was carrying off a virgin far superior to the rest, both in beauty and shape, being asked by many for whom they intended her,

b. 2. is of opinion, that Cænina was on this side the Anio, four miles from Rome.

Crustuminiūm is reckoned to have been a town of Tuscany, famous for good wine, and celebrated by Virgil, Georg. 2. for fine pears.

Antemna is said by some to have been situated between the Tiburtine and Nomantine ways.

\* They inhabited the country lying between the Umbrians and Latins. A similitude of manners makes it probable, that they were a colony of Lacedæmonians transplanted into Italy.

Pliny, b. 3. ch. 12. says, that they were called Sabines, *σάβινοι οἱ Σαβίνοι*, from their worshiping the gods with great devotion. Festus Pompeius is of the same opinion. But Isidorus, Orig. b. 9. c. 7. says, that as the Italians took their name from Italus, and the Sicanians from Sicanus, so the Sabines took theirs from Sabinus. Of this opinion is Dion. Hal. b. 2. Silius Italicus, b. 8. says, that the founder of this nation was Sabus, and from him it took its name. Their women were eminently distinguished for their chastity, frugality, neatness, conjugal affection, and every virtue which adorn the sex. Horace, epod 2. Statius, b. 5. Sylv. Martial. 1. 62. Juvenat. 6. and sat. 10. Virgil. georg. 2.

the

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the men, to save her from harm, often cried out, that they were carrying her to Thalassius ; and that from this the word became customary at marriages. Fear having thus interrupted the games, the parents of the virgins, in sorrow, run out of the city ; bitterly reproaching the Romans with violating the laws of hospitality, and invoking the vengeance of that god, to whose festival and games they had come, and where they had been shamefully betrayed under colour of religion and national faith. Neither had the virgins better hopes of their condition than their parents had, nor less resentment against their ravishers. But Romulus in person went about and declared,

“ That what was done, was owing to the pride  
 “ of their fathers, who had refused to give them  
 “ in marriage to their neighbours ; but, notwithstanding  
 “ what had happened, they should be joined in lawful wedlock, made partners of  
 “ all their fortunes, obtain the freedom of the  
 “ city ; and, than which nothing could be dearer  
 “ to the human race, they should be joined by  
 “ the tender affections of father and mother of  
 “ the same children : That they should now  
 “ soften their resentment, and give their hearts  
 “ to those to whom fortune had given their  
 “ persons : That from injuries love and friend-  
 “ ship had often sprung ; and that their husbands  
 “ would prove the more indulgent, because each  
 “ of them, besides the performance of conjugal  
 “ duty, would endeavour to the utmost of his  
 “ power to supply the want of their parents and  
 “ native country.” This speech of the king is seconded by the caresses and endearments of the men, pleading, in excuse, the violence of their passion, and the sincerity of their love, arguments that work most successfully on womens hearts.

CHAP.

CHAP. X. The minds of the virgins were now greatly softened ; but their parents, for that reason, going about in a pitiful dress, with tears and complaints stirred up their states to revenge. Nor did they confine their resentment to their own country, but assembled from all quarters to Titus Tatius king of the Sabines ; as that name was the most considerable in those places, all the embassies were sent thither. The Cæninenses, the Crustumini, and the Antemnates, who had been sufferers by the rape, thought Tatius and the Sabines proceeded too slowly ; these three nations therefore forming an alliance, prepare for war. Nor do the motions of the Crustumini and Antemnates keep pace with the ardor and fury of the Cæninenses ; therefore they alone make an incursion into the Roman territories. But Romulus with his army meeting them ravaging the country in straggling parties, by a slight engagement convinces them, that resentment without strength is of no avail. He defeats and routs their army, pursues the fugitives, kills their king in battle, and strips him of his armour ; their general being killed, he takes the city at the first assault. From thence leading back his victorious army, being now distinguished by his gallant exploits, and dexterous at shewing them to the best advantage, goes in state to the Capitol, carrying on high before him as a pompous pageant, in a frame curiously made for that purpose, the spoils of the enemy's general whom he had slain : and there laying them down at the foot of an oak held sacred by the shepherds, along with the gift, he marked out with his eye the bounds of a temple for Jupiter, and gave him a surname : " O ! Jupiter Feretrius \*," says he, " I victorious king Romulus, pre-

\* Some derive this word from *ferire*, to strike, or from *φέρειν*, which signifies any machine for carriage.

" sent to thee these royal arms, and to thee I  
 " dedicate a temple on that spot which I have  
 " marked out in my mind, as a place for these  
 " opima spolia, which my successors, following my  
 " example, shall take from the king or general  
 " of the enemy whom they have killed, and offer  
 " to thee." This was the origin of that temple,  
 the first consecrated at Rome : and it has pleased  
 the gods, that ever since, neither the words of  
 the founder, by which he specified where those  
 spoils were to be brought, should be falsified ; nor  
 the glory of the offering sullied by the number of  
 those who have shared it. Twice only, during  
 the space of so many years, and in so many wars,  
 have the spolia opima been obtained ; so rare a  
 thing has the good fortune been to attain that  
 honour \*.

CHAP. XI. Whilst the Romans were thus em-  
 ployed, the Antemnates, taking the opportunity of  
 their absence, entered their territories in an hostile  
 manner : against these likewise a Roman legion †,  
 being suddenly led out, came upon them dispersed  
 and straggling through the fields ; the enemy  
 therefore, at the very first shout and charge, were

\* These spoils, which were taken by the Roman general from the general of the enemy, after killing him with his own hand, were called *opima*, as being more honourable than any other. Once by Cornelius Cosius, who killed Tolumnius king of the Veientes, in the 318th year of Rome, and after that by Claudius Marcellus, who killed Virdumaris, a king of the Germans, in the year of the city 532.

† The legion was so named from *legendo*, because the kings, and the consuls afterwards, chose the men who were to serve in any war, in an assembly of the free citizens held for the purpose. The legion at first under Romulus consisted of 3000 foot, and 300 horse. After the Sabines were made free of the city, the number was augmented to 4000 and 400. It continued so till the Macedonian war, when it was increased to 6000. Under the emperors it was again augmented to 6200 foot, and 726 horse.

entirely

entirely routed, and their town taken. As Romulus was returning in triumph for these two victories, his wife Hersilia, importuned by the intrigues of the wives that had been seized, begged that he would " pardon their fathers, and admit " them to the privilege of Roman citizens ; " by this union he might put an end to all differences." It was easily obtained. After this he marched against the Crustumini, who had begun hostilities ; but there he found even less resistance, as their spirits were sunk by the defeat of their neighbours. Colonies were sent to each of these places ; but the greater part gave in their names to go to Crustumimum, because of the fruitfulness of the soil. Many removed thence to Rome, especially the parents and relations of the women that had been seized. The last war that broke out on the score of the rape, was with the Sabines, and proved by far the most dangerous ; for they did nothing either through passion or desire of plunder ; nor did they make a shew of war, before they really begun it. They backed their designs by a stratagem. Sp. Tarpeius commanded the citadel ; his daughter Tatius bribed with the promise of a sum of money, to let his soldiers enter it in arms : she was then, by accident, without the walls, seeking water for sacred uses. Those she let in crushed her to death with their bucklers ; either that they might seem to have taken it by force, or to make her an example to posterity, that no faith ought to be kept with a traitor. Because the Sabines commonly carried on their left arm golden bracelets of great value, and wore rings set with precious stones, a story is current, that she agreed with them for what they had on their left arm, and that they threw their shields upon her instead of the bracelets of gold. Others will have it, that by the bargain for the surrendery,

which was, what they had in their left hands, she plainly asked their arms, and thereby appearing to act deceitfully, she was killed by a reward of her own asking.

CHAP. XII. However that be, the Sabines kept possession of the citadel; from whence, though the Roman army the next day drew out into the field lying between the Palatine and Capitoline hills; they did not venture into the plain, till the Romans, pushed on by indignation, and desire of recovering the castle, marched up to attack them. Two principal officers on each side begun the battle, Mettus Curtius on the side of the Sabines; on that of the Romans Hostus Hostilius. He, notwithstanding the disadvantage of the ground, among the foremost ranks supported the Romans by his courage and bravery. When he fell, immediately giving way, they fled to the old gate of Palatium. Romulus, carried away too with the general rout, lifting up his arms to heaven, “ O ! “ Jupiter,” says he, “ in obedience to thy birds, I “ here laid the first foundation of my city on the “ Palatine hill. The Sabines are now, by fraud “ and bribery, in possession of the citadel. From “ which they are advancing hither sword in hand, “ and have already passed more than half the val- “ ley. But do thou, O Jupiter, father of gods “ and men, drive the enemy at least from hence ; “ dispel the fear that hath seized the Romans, “ and stop their shameful flight. I here solemnly “ vow to build thee a temple under the name of “ Jupiter Stator \*, as a monument to posterity, “ that

\* Several authors say, that this surname was given to Jupiter, because the Romans, recovering from their fright, made a stand and faced the enemy. Cicero. de finib. 3. 20. says, *When we give to Jupiter the name of Stator, we mean, that the safety of all men is under his*

"that this city was saved by thy immediate aid." Upon this, as if he had perceived that his prayers were heard: "In this place," cries he, "O Roman, Jupiter optimus maximus commands you to make a stand, and renew the battle." The Romans stopped as if they had been commanded by a voice from heaven; Romulus flies himself to the foremost ranks. Mettus Curtius, the Sabine champion, had by this time come down from the citadel, and driven the flying Romans all over the forum. He was now come near the gate of Palatium, bauling out at every turn, "We have defeated our perfidious entertainers, and cowardly enemies: now they are sensible of the difference between seizing girls and fighting with men." Whilst he was boasting in this insulting manner, Romulus, at the head of a body of very brisk young men, attacked him. It happened, that Mettus fought on horseback, so that he was more easily put to flight, the Romans pursuing him warmly. Another battalion of them, encouraged by the gallant behaviour of their king, routed the Sabines. Mettus's horse, being terrified with the noise of the pursuers, drove into a marsh, whither the danger of so considerable a man drew the Sabines. Animated by the shouts of many of his friends, he recovered his spirits, and made his escape. Both sides renewed the battle in the valley between the Palatine and Capitoline hills, but the Romans had the advantage.

CHAP. XIII. By this time the fear of the Sabine women, the rape of whom had occasioned

*his protection. Seneca, de Benef. 4. 7. says, that Jupiter is called Staror, because all things are supported by his goodness, and not because the Roman army made a stand upon Romulus's view.*

the war, being overcome by the miseries which they beheld, with their hair dishevelled, and garments rent, they boldly threw themselves amidst the showers of darts, and rushing between the two armies in the heat of action, gave a check to their fury. On the one hand beseeching their fathers, and on the other their husbands, "that "as they were fathers and sons-in-law, they "would not impiously embrue their hands in "one another's blood : That they would not "derive the stain of parricide upon their infants, "grandchildren of the one, and children of the "other. If you are dissatisfied with the alliance ; if our marriage displeases you, turn "your resentment against us : we are the cause of "this war, and of the wounds and bloodshed "to our fathers and husbands : it is better for us "to die, than to live orphans or widows, deprived "of either of you." This sight excites the compassion both of the generals and the armies. Silence and a sudden tranquillity ensues. The commanders advance in order to concert a treaty, and they not only conclude a peace, but unite the two states. They divide the regal power equally between the two kings, and Rome is made the seat of government. By this coalition the city is doubled, and to shew some respect to the Sabines, the inhabitants are called Quirites \*, from the Sabine city Cures. To perpetuate the remembrance of this battle, the place where Curtius's horse, after getting out of the deep marsh, first set him on shallow water, is called the lake of Curtius. This happy and sudden peace, from

\* The word *Quiris* signified in the Sabine language, both a dart and a deity armed with a javelin. This god was worshipped in Rome all Romulus's life-time ; but after his death, he himself was honoured with the name of *Quirinus*, and took the place of this god.

such an unnatural war, endeared the Sabine women exceedingly to their parents and husbands, but especially to Romulus. Therefore, upon his dividing the people into thirty curiæ \*, he called them by their names. Though the Sabine women must certainly have exceeded that number, yet we have no account whether they who gave names to these curiæ, were chosen by lot, seniority, or according to their own or their husbands quality. At the same time three centuries of knights † were enrolled; from Romulus, they were called Ramnenses; from Titus Tatius, Tatien-  
ses; but why they were called Luceres, or whence the word was derived, is uncertain. From this time the two kings not only shared the power equally, but also lived in perfect harmony.

CHAP. XIV. Some years after, the kinsmen of king Tatius beat the ambassadors of the Laurentes; and though they demanded satisfaction according to the law of nations, yet partiality for his friends and their intreaties had more weight with him than the just complaints of the others. By this conduct he brought the punishment due to them upon himself; for having gone to a yearly sacrifice at Lavinium, the people rose and slew him. They say that Romulus bore this more patiently than he ought ‡, either because copartners in sovereignty are never true to one another, or because he believed that he was justly killed. For

\* Romulus, when he numbered the citizens of Rome, divided them into three equal tribes; each of which he again divided into ten curiæ, or companies of an hundred men; which he subdivided into ten decuriæ, of ten men each. The tribe was commanded by a tribune, the curia by an officer called curio, and the decuria by one called decurio.

† The knights first composed the Roman cavalry.

‡ Plut. and Dion say that he dismissed the murderers, after they were delivered up to him.

this

this reason he declined going to war. Nevertheless, to expiate the murder of the king, and the injuries done to the ambassadors, the treaty was renewed between the cities of Rome and Lavinium. Though peace was concluded with them contrary to expectation, a new war broke out much nearer Rome, almost at the very gates of the city. The Fidenates \*, judging that the Roman state was growing too powerful in their neighbourhood, resolve to war against it before it should be so powerful as it was likely to be. A number of young men in arms entering the Roman territories, ravaged all the country between Fidenæ and Rome. Then turning to the left, because the Tiber confined them on the right, they continued their depredations, to the great terror of the peasants, who flying in crouds from the fields to the city, brought the first news of the enemy. Romulus, roused at this unexpected invasion, as the enemies approach admitted no delay, leads out his army, and incamps a mile from Fidenæ. Leaving a small party to guard his camp, and marching out with the rest of his forces, he orders a party of them to lie in ambush in a place covered with thick bushes. Then advancing with the greater part of the foot, and all the horse ; and by riding up to the very gates of the city in a disorderly and menacing manner, according to his design, he drew out the enemy. The behaviour of the horse likewise made the flight, which was to be counterfeited, appear less surprising : for while the cavalry seemed through fear in suspense whether to fight or fly, the foot likewise drew back. The enemy instantly opening their gates rush out ; and by their eagerness to pursue, and

\* Inhabiting a city of Latium, called Fidenæ, since *Cafel Jubila.*

fall upon the retreating Romans, are drawn into the ambuscade. The Romans starting up all of a sudden, attack the enemy in flank. They who had been left to guard the camp, advance with flying colours, and increase their fear. Thus the Fidenates, being struck with terror from all quarters, turn their backs, before Romulus and his men could wheel their horses, and fled in earnest with much greater speed than they had pursued those who just before had feigned to fly before them. But they could not save themselves; for Romulus, following close at their heels, entered the city pellmell with their own men, before they could shut the gates.

CHAP. XV. The war with the Fidenates, spreading like a contagious distemper, irritated the minds of the Veientes, who, thinking themselves concerned both on account of their relation to the Fidenates, who were Etrurians as well as they, and by the situation of their country so near the seat of war, if the Romans were thus to be enemies to all their neighbours, entered the Roman territories rather with a design to ravage the country than to carry on a regular war. Therefore, after plundering the lands, without pitching a camp or waiting for the enemy, they returned with their booty to Veii\*. But Romulus, not finding the enemy in the fields, being prepared and eager to come to a decisive battle, passes the Tiber. The Veientes informed of his having fixed his camp, and that he intended to advance to their city, marched out to meet him, chusing rather to risk a battle than to be pent up and obliged to fight from their walls and houses.

\* A city of Tuscany, about one hundred furlongs from Rome. After many struggles for the sovereignty, and enduring a t.u.f. years siege, it was at length taken by the Romans, in the 359th year of Rome.

In this engagement, without using any stratagem, Romulus got the victory by mere strength, and the bravery of his veteran troops. He routed the enemy, and pursued them to the walls of the city ; but as it was strongly fortified by nature and art, he made no attempt to take it. In his return he ravaged their lands, more through a desire of revenge than of plunder. The Veientes having suffered as much by this loss as by their defeat, sent deputies to Rome to sue for peace. Part of their lands was taken from them, and a truce granted them for an hundred years. These are the most remarkable actions performed by Romulus, in peace and war ; none of which seemed inconsistent with the belief of his divine original, or of his deification after death ; not his courage in recovering his grandfather's kingdom ; not his design of building a city, nor of strengthening it by good policy and arms : for, by the progress it had made under him, it was become so powerful, that for forty years after it enjoyed a profound tranquillity. Yet he was dearer to the people than to the fathers ; but above all others he was the darling of the soldiers. He chose three hundred of them, whom he formed into a body-guard to attend him in peace and war, and called them celeres \*, or light horsemen.

CHAP. XVI. After performing these immortal achievements, while he was holding an assembly of the people for mustering his army, in a field nigh the goat's pond †, on a sudden a storm arising, with terrible lightnings and claps of thunder, covered the king with such a thick cloud as took him out of their sight. Nor was Romu-

\* This was the first corps of the Roman soldiery, and was chosen by the thirty curiae, each of which furnished ten men.

† Marianus, b. 6. ch. 9, says it was in the *Campus Martius*.

lus after this seen on earth. When the consternation was over, and a fine clear day succeeded the storm, the Roman youth observing the royal chair empty, although they gave sufficient credit to what the fathers who stood nearest him said, that he was taken up into the air by the tempest ; yet, as if struck with the fear of being left orphans, they remained for some time in mournful silence. Afterwards one or two setting the example, the whole assembly command that Romulus be addressed as a god, the son of a god, the king and father of the city Rome. They earnestly beseech his favour, that he would graciously vouchsafe at all times to protect his offspring from every kind of danger. I believe there were some at that time who surmised, that he was torn in pieces by the fathers : for this report likewise spread abroad, but gained very little credit. The present consternation, and the great veneration they had for their king, made the other be more universally believed. And the belief of it was confirmed, it is said, by the address of one man : for Julius Proculus, whilst the citizens were as yet uneasy at the want of their king, and dissatisfied with the fathers, a man of gravity, as is said, though the author of a bold thing, appears in open assembly : "Romulus," says he, "Quirites, the fathers of this city, suddenly descending from heaven, appeared to me this morning at day-break. While I stood filled with surprise, and a religious dread, beseeching that I might be allowed to look on him, Go, said he, tell the Romans, it is the pleasure of the gods, that my Rome become the capital of the world. Therefore let them cultivate the art of war, let them know, and hand down to posterity, that no human power shall be able to withstand the Roman arms. Having said this, he ascended up to heaven." It is surprising what credit

was

was given to Proculus, and how much the regret of the common people and army, for the loss of Romulus, was lessened upon this assurance of his immortality.

CHAP. XVII.. The fathers, in the mean time, are taken up with ambitious views and caballing about the sovereignty. The contest arose not from individuals; for among a new people, no one man was greatly distinguished above the rest: the dispute was between the different orders and the different nations that composed the state. The descendants of the Sabines, afraid of losing their claim to the crown, because they had enjoyed an equal share of the regal power, since the death of Tatius, were desirous to have a king chosen from among them; the old Romans despised a foreign prince. Amidst these disputes, however, the different factions declared unanimously for regal government, unacquainted as yet with the sweets of liberty. The fathers likewise begun to be apprehensive, lest some of their neighbours, taking the advantage of their condition, should think of attacking their state now without a king, and their army without a general: every one was therefore for having some head. Wherefore the hundred fathers agree to share the sovereign power among themselves, by dividing their number into decuriæ or tens, and chusing one for every decury who should have the chief direction of affairs. Thus ten governed; though one only was attended with the lictors and ensigns of royalty: their power was to continue for five days, and to circulate regularly round the whole: this interval of kingly government lasted one year, and from the thing was called an interregnum, a name which it still retains. But the people began to murmur, that their slavery was increased, having

ving got an hundred sovereigns instead of one, and seemed determined to bear no authority but that of a king, and a king of their own chusing. When the Fathers perceived what was in agitation, they thought it adviseable to offer them, of their own accord, what they must soon be obliged to give up; and thus conciliated the favour of the people by yielding to them the supreme power, yet in such a manner that they granted them no greater privilege than they reserved to themselves. For they decreed, that when the people should chuse a king, the election should be valid, if it was approved by the senate. And the same forms are observed at this day in passing laws and electing magistrates, though they have now lost their effect; for before the people begin to vote, the senators propose the affair, and leave it to the uncertain event of their suffrages. To proceed, the interrex having called an assembly of the people, addressed them in this manner: "Do you, O Romans, chuse yourselves a king, and may it prove fortunate, happy, and auspicious to you. The Fathers consent to it, and will, if you pitch upon a prince worthy to succeed Romulus, confirm your choice." The people were so pleased with this concession, that not to be behindhand in complaisance, they only voted, that the nomination of a king should be left to the senate.

CHAP. XVIII. Numa Pompilius was at that time famed for his justice and piety. He dwelt at the Sabine Cures\*, as learned both in divine and human laws, as any man could be in that age.

\* It is now called *Correze* or *Cureze*, and was situated upon a little river of the same name, falling into the Tiber above *La Farfa*. Cluverius conjectures it was built where now stands the monastery *Il vescovia di Sabina*, bishopric of Sabina.

Because they can assign him no other master, it is said he learned his philosophy from Pythagoras of Samos. But this assertion is false: for it is certain, that this philosopher, in the reign of Servius Tullius, more than an hundred years after this, in the most distant part of Italy, about Metapontus, Heraclea, and Croton, had a number of young men attending him. Though he had been contemporary with Numa, how could his fame, from these remote places, have reached the Sabines; or by the common use of what language could he have excited in any one a desire of becoming his scholar? Besides, how could a single man have safely passed through so many nations differing in language and customs? I presume, therefore, that Numa was naturally of an excellent and virtuous disposition, and that he was not so much versed in foreign sciences, as well instructed in the severe and rigid discipline of the ancient Sabines, which was formerly very remarkable for its strictness and purity. Upon hearing the name of Numa, the Roman fathers, although they perceived that the scale of power would lean to the side of the Sabines, if they should chuse a king of that nation, yet none of them daring to put himself, or any other of his party, yea nor any of the citizens or fathers, in competition with him, unanimously resolve to confer the kingdom on him. As soon as he was brought to Rome, in imitation of Romulus, who before the building of the city was raised to the throne by augury, he commanded the gods to be consulted concerning his own election. Upon this one of the augurs\*, who ever after had the honour to perform that sacred office on public oc-

\* There were at first only three of them established by Romulus, to whom Servius Tullius added a fourth. Their number was afterwards increased to fifteen, and formed into a college under a head.

casions,

casions, led him to the castle, and set him upon a stone with his face to the south. The augur seated himself on Numa's left hand, with his head covered, holding in his right hand a crooked staff without a knot, called *lituus*; from thence, having taken a view of the city and country, and invoked the gods, he marked out the quarters of the heavens from east to west; calling the quarter towards the south the right, and that towards the north the left \*. Then taking a prospect straight forward, as far as his sight could reach, he marked the bounds in his mind. Then shifting the rod into his left hand, and laying his right upon Numa's head, he made the following prayer: "O Father Jupiter, if it is thy will that this Numa Pompilius, whose head I hold, should be king of Rome, I beseech thee to give sure and evident signs of it within those bounds which I have marked." Then he mentioned the omens which he wished to appear; upon their being seen, Numa is declared king, and comes down from the temple.

CHAP. XIX. Having thus obtained the kingdom, he resolved, by justice, laws, and wise regulations, to make a thorough reformation in this city, which had been at first built by violence and arms. But as he saw that he could not immediately reconcile, to his institutions, a people whose minds were become savage by continual

\* For the better understanding the several kinds of auguries, it will be proper to observe the two terms *dextra*, *right*, and *sinastra*, *left*, which are differently applied by the Greeks and Latins; and very often by the Latins themselves, who sometimes speak agreeably to the Grecian customs, and sometimes according to their own. The Greeks and Romans both derived the happiness of their omens from the eastern quarter. The former turned their face towards the north, and so had the east on their right; the latter turned towards the south, and so had the east on their left. See Bullinger, of auguries and auspices, b. 2. ch. 2.

wars ; and judging that their fierce tempers must be first softened by diverting them from the violence of arms, he built the temple of Janus\* at the end of the street Argiletum, to be a sign of peace and war ; that when open, it might shew the state was engaged in war, and when shut, that all the neighbouring nations were at peace with it. Twice only since the reign of Numa hath this temple been shut ; once when T. Manlius was consul, at the end of the first Punic war ; and a second time, which the gods have granted our age the happiness to see, by the emperor Augustus Cæsar, after the battle of Actium, peace being now procured by sea and land. Numa, having shut the temple, and secured all his neighbours by treaties and alliances, having no apprehensions of disturbance from abroad, in order to prevent his subjects from becoming riotous by ease and quiet, who had been formerly restrained by military discipline and the dread of their enemies, he thought the most effectual method with an ignorant and uncivilized multitude, would be to impress their minds with the fear of the gods. But as this reverence for the gods could make no deep impression on their minds, without the addition of some miracle, he gave out, that he had conferences in the night-time with the goddess Egeria †, and that, by her direction, he instituted what religious service and sacrifices were most accept-

\* It was a square building, all of brass, in which was a statue of Janus, with brasen gates on each side, nobly described by Virgil, Æneid. 7.

† Some imagine, that this was a mistress of Numa's, and that his passion for the woods and caves proceeded from his love to her. St Austin, from a passage in Varro's antiquities, says, that this king being skilled in hydromancy, saw several demons in the water, whom he consulted ; and that his drawing of water for his magical operations, gave rise to the fiction of his having married the nymph Egeria, who took her name from the word *egerere*, to ~~spout out~~ able

able to the gods, and appointed to each of them particular priests to perform them. And first of all he divided the year into twelve months, according to the course of the moon. But because the lunar month is not full thirty days, and some days are wanting to make a full solar year, he ordered it so, by inserting intercalary months, that twenty-four\* of these years taken together should be equal to that number of complete revolutions of the sun, and that at the end of that period the days should return to the same point of the solar year. He likewise made a distinction of the days † into lawful and unlawful, because on some it would be convenient not to hold any assemblies of the people.

**CHAP. XX.** Next he applied himself to the election of priests, though he performed many sacrifices himself, especially those which now belong to the high priest of Jupiter; but presuming, that, in a warlike nation, there would be more kings of the temper of Romulus than of Numa, and that they would go to war in person, he ap-

\* As to the number of years, in the text of our author, necessary to reduce the year to a just point with the solar, we have followed the most vulgar reading. The curious may satisfy themselves by consulting the annotations of Antony Sabellius, Glareanus, who followed Macrobius, and the Scholia of Carolus Signiorius, who have endeavoured to clear up, in different ways, the obscurity in Numa's regulation of the calendar.

† The Roman days were divided into three orders, to wit, *dies festi, festivals; profici, working days; and intercisi, half the one and half the other.* The first were dedicated to the service of the gods; the second allotted for the common affairs of life; the third were divided between sacred and ordinary employments. The *dies festi* were the same as our court-days; upon which it was lawful for the prætor to sit in judgment, and to pronounce the three solemn words, *Do, dico, addico, I give laws, declare right, adjudge cases.* These were called lucky days; and all the others, except the *intercisi*, were called *dies nefasti, unlucky days;* upon which it was not lawful to offer sacrifices, administer justice, hold assemblies of the people, or begin any new expedition.

pointed a priest constantly to attend the worship of Jupiter, that the religious service ordinarily performed by the king might not be neglected. Him he distinguished by a fine robe, and a royal curule chair. He likewise added two other flamines, one for Mars, and another for Romulus. He chose the Vestal virgins \*, an order which took its rise from Alba, and had a near relation to the family of the founder of Rome. That they might constantly attend in the temple, he appointed them salaries out of the public treasury; and by obliging them to preserve their virginity, and by other ceremonies, he made the order sacred and venerable. He chose twelve Salii † to Mars Grædibus

\* Romulus's mother being one of those virgins dedicated to the service of *Vesta*, who is thought to represent the whole world, though commonly worshipped as the goddess of fire. These virgins were chosen by lot, from six to ten years of age; above which none were admitted. They were to continue in this service thirty years: the first ten of which were spent in learning the ceremonies, the second ten in performing them, and the last in instructing the younger Vestals. They had great privileges, being always attended by a lictor when they went abroad; and if they met a criminal going to execution, they could pardon him; provided they could swear the meeting was accidental. As their privileges were great, the punishments of their faults were severe; especially that of incontinency. She who failed in this respect was buried alive; and the man she had been guilty with, was whipped to death. If they allowed the sacred fire to go out, which was reckoned a very unlucky omen, they were whipped by the chief pontiff, through a vail; and the fire was rekindled by rubbing two pieces of wood together, or by the rays of the sun.

† They were so called from *Salius*, who was chief of a band of musicians, whom Evander brought with him out of Arcadia into Italy; or *a saliendo*, from their dancing. Their business at first was singing at the sacrifices. Italy being infested with a severe plague, Numa took that opportunity of reviving the order. He made the Romans believe, that a shield of uncommon make-fell from heaven; and that he was informed by his goddess Egeria, that the prosperity of the city depended on the preservation of it. Therefore, to prevent its being stolen, he caused eleven more exactly like it to be made, and hung them all up in the temple of Mars; and twelve young Romans of good families were appointed to keep them, to whom he gave the name of Salii. They composed a college,

divus\*, distinguished them by an embroidered coat, and a breastplate of brass to wear above it, and by appointing them to carry the shields called *Ancilia* † which fell from heaven, and to go thro' the city singing songs, with capering and solemn dancing. Then he chose out of the number of the Fathers Numa Marcius the son of Marcus for high priest ‡, and delivered to him a system of religious rites

college, consisting of the same number of men with the shields they kept. The three seniors governed the rest; of whom the first was called *praeful*, the second *vates*, and the third *magister*. The descent of this shield was yearly celebrated by them on the first of March, when they came out of the temple in procession, carrying each one of these shields on his left arm, and a javelin in his right hand. In this procession they sometimes sung, and sometimes danced. None could be admitted into their order but natives of Italy, free-born, and whose fathers and mothers were alive. After the solemnity, they were regaled at great expense.

\* This surname, according to Festus, was given to Mars *a grandis*, because it is common to advance to battle with a slow and regular pace; or from the brandishing of a spear, which the Greeks call *equidens*.

† These shields were made in an oval form, with several folds or plaits closing one over another. They exactly fitted the elbow by their figure, and from that were called *ancilia*, from ἀγνύλη, a crooked javelin; or from ὀγκή, the cubit, that part of the arm between the wrist and the elbow, upon which they were carried. See note on Salii, p. 42.

‡ The pontifex maximus was always chosen by the people, and generally taken from amongst the other pontifices. His office was reckoned one of the most honourable in the commonwealth. The word *pontifex* is commonly derived from *ponis* and *facere*; because the care of repairing the bridges was committed to them, and the most solemn sacrifices offered upon them. But Plutarch finds fault with this etymology of the word. He says it was used in Rome before there were any bridges, and derives it from the word *potnis*, which signifies *powerful*. Others derive it from *potis*, *able*, and *facere*, *to sacrifice*. For about four hundred and fifty years after the building of the city, there were only four pontifices chosen out of the patricians. But the people being desirous to share that honour, four other plebeians were added: Sylla added seven more. The first eight were called superiors, and the rest inferiors. The office of the pontifex was to give judgment in all religious causes; to inquire into the lives and manners of the inferior priests, and punish them

rites wrote out and sealed; shewing what sacrifices were to be offered, upon what days, and in what temples; and likewise from what funds the money was to be taken to defray the expense of them. All other religious institutions, whether public or private, he put likewise under the cognisance of the high priest, to the end that the people might have a proper judge to consult, and to prevent all innovations in religion, by neglecting the rites established in their own country, and introducing foreign ceremonies. Nor was the worship due to the celestial deities to be his only care; he was also to instruct the people in the manner of performing funeral obsequies, and of appeasing the manes of the dead; likewise what prodigies, by thunder, or any other how seen, were to be understood as good or bad, how the good ones were to be received and the bad ones expiated. In order to procure these prodigies from the minds of the gods, he dedicated an altar to Jupiter Elicius \* on the Aventine hill †, and consulted him by augury what prodigies ought to be observed, and what should be rejected.

### CHAP. XXI. The consulting or expiating these prodigies furnishing the minds of the people

them if he saw occasion; to prescribe rules for public worship; to regulate the feasts and sacrifices, and all other sacred institutions. Festus calls the pontifex maximus, *Judex aique arbiter rerum humarum divinarumque, Judge and arbitrator of human and divine affairs.*

\* This surname was given to Jupiter *ab eliciendis fulminibus, giving omens by thunder.*

† Various have been the disputes among critics about the derivation of the name of this hill. Some will have it to have been called *Aventinus* from an Alban king of that name; others from the river *Avens* in Sabinia; and some *ab avibus, from the birds* which constantly repaired thither in great flocks. It was two miles and a quarter in circuit, and had the city-wall to the east; the Campus Figulinus to the south; the Tiber to the west; and mount Palatine to the north.

with

with objects to fix their attention, and diverting them from violence and arms, a sense of the gods became so habitual, and the belief that the divine providence interests itself in human affairs, had now filled them with such religious sentiments, that promises and oaths awed the state as effectually as the terror of the laws and punishments. Nor did his subjects only form themselves after the example of the king as the completest pattern; but the neighbouring nations, who had formerly looked upon Rome, not as a city, but as a camp pitched in the middle of them for disturbing the public tranquillity, were brought to entertain so great a veneration for it, that they deemed it impious to injure a state entirely employed in the religious service of the gods. There was a grove, through the middle of which there constantly ran a brook of water, issuing from a dark grotto. As Numa went often thither alone, under pretence of conferring with the goddess, he dedicated it to the Muses, that there he might meet and advise with them and his wife Egeria. He also instituted a yearly festival to the goddess Faith \* alone, and commanded the priests to be carried to her temple in an arched chariot drawn by two horses, and to perform the divine service with their hands wrapt up to the fingers, to signify that faith ought to be protected, and that her seat ought to be sacred and inviolable even in mens right hands. He instituted many other sacrifices, and dedicated the places for offering them, which the priests

\* Dionysius Halicarn. book 2. admires no part of Numa's management so much, as this scheme to make the Romans honest, by turning *bona fides*, *good faith*, into a goddess, and appointing her divine worship. It was an invention entirely new, and contributed exceedingly to make the republic faithful to her treaties, and citizens to their contracts with one another. So strict was their regard to truth, that the judges often determined doubtful causes, by the bare affirmation of the defendant.

called

called Argei \*. But the masterpiece of his polity was, that, during the whole course of his reign, he had no less regard to maintaining the public tranquillity, than to the support of his regal authority. Thus two successive kings improved and enlarged the state by different maxims, the first by war, and the latter by peace. Romulus reigned thirty-seven years, and Numa forty-three: and by them the state was both tempered and strengthened by the arts of peace and war.

CHAP. XXII. Upon the death of Numa, the administration returned again to an interregnum; after which the people appointed Tullus Hostilius, the grandson of that Hostilius who made the noble stand against the Sabines at the foot of the castle, to take upon him the government. This election was confirmed by the Fathers. He was not only unlike to the former king, but even of a more warlike disposition than Romulus: besides, his youth and strength, and the renown of his grandfather, fired his ambition. Thinking therefore that the state was enervated by peace, he sought every where for pretexts to raise war. It happened very favourably for his designs, that the Roman and Alban peasants had plundered each other's lands. C. Cluilius at that time governed Alba. Both nations sent ambassadors almost at the same time to demand restitution of the goods that had been carried off. Tullus ordered his to execute their commission without delay. He knew well that the Albans would refuse to give satisfaction, so a war could be justly proclaimed. The Alban deputies were more remiss in the execution of their orders. Being received by Tullus in a civil

\* All the places for performing religious service at Rome were called *Argei* from *Argivi*, Grecians.

and

and obliging manner, they complaisantly spent their time in feasting with the king ; till the Romans had both demanded restitution, and, upon the refusal of the Albans, had declared war after thirty days, and returned to Rome with the news. Then Tullus grants an audience to the Alban ambassadors, in order to hear their demands. They, ignorant of all that had passed, wasted the time in making apologies : “ That it was with “ the utmost reluctance they would say any thing “ in the least disagreeable to Tullus ; but they “ must obey their orders. That they had come “ to demand restitution of goods ; and if this “ should be denied, they were commanded to de-“clare war.” To this Tullus replies, “ Go tell “ your king, that the king of the Romans takes “ the gods to witness, which of the two nations “ hath with contempt first dismissed the ambassa-“dors demanding restitution of goods ; that on it “ they may revenge all the mischiefs of this war.” The Albans report these things at home.

CHAP. XXIII. Both sides made all possible preparations for the war, which had very much the appearance of a civil one, in a manner between parents and children : both deriving their original from Troy ; since from thence came Lavinium, from it Alba, and the Romans from the race of Alban kings. But the manner in which the war terminated, made it less calamitous ; for they never came to any action, and the two nations were united only by demolishing the houses of one city. The Albans first entered the Roman territories with a great army. They pitched their camp not above five miles from the city, and surround it with a ditch, which, for some ages, was called Cluilius's ditch, from the name of the general, till, in process of time, the place and name were

were both forgot. In that camp Cluilius the Alban king dies ; upon which the Albans create Mettus Fuffetius dictator. In the mean time, Tullus being in high spirits, especially on the death of the king, and giving out that the supreme god, who had begun at the head, would take vengeance on the whole Alban nation for this unjust war, passing the enemy's camp in the night-time, marches in an hostile manner into their territories. This made Mettus leave his camp likewise ; who drawing as near as he could to the enemy, sent an herald to tell Tullus, that an interview would be convenient before they should come to an engagement. If he would appoint a conference with him, he was certain he had matters to represent which equally concerned the interest of Rome and Alba. Tullus not slighting the motion, though he suspected it was only made to amuse him, drew out his men in order of battle, as did the Albans likewise. As both armies stood in battalia, the chiefs, with a few nobles, advance into the middle between them. There the Alban dictator begins : " Methinks I  
" have heard our king Cluilius allege, as causes  
" of the present war, injuries done us by the Ro-  
" mans, and goods not restored according to  
" treaties, when they were demanded : neither  
" do I doubt, O Tullus, but you will urge the  
" same things : yet were we to speak truth in-  
" stead of using specious arguments, the true  
" motive, which prompts two nearly allied and  
" neighbouring nations to take up arms, is an  
" ambition of sovereignty ; whether justly or un-  
" justly, I say not ; let the first aggressor answer  
" for that. The Albans have chosen me general  
" for carrying it on. I would only have you,  
" Tullus, consider, how closely we both, but  
" you more particularly, are hemmed in by the  
" powerful

" powerful state of Etruria : as you are nearer to  
 " it, you must be more sensible of the common  
 " danger : its strength by land is considerable,  
 " and very mighty by sea. Be assured, that as  
 " soon as you shall give the signal for battle, our  
 " two armies will be beheld as an agreeable sight,  
 " that they may at once fall both on the conquer-  
 " ors and conquered, wearied and spent with  
 " fighting against each other. Therefore, in the  
 " name of the gods, seeing we are not content-  
 " ed with certain liberty, but will run the risk  
 " of either sovereignty or slavery, let us agree on  
 " some expedient whereby it may be determined  
 " which shall reign over the other, without great  
 " mischief to, or shedding much blood of either  
 " nation." Tullus, though naturally inclined  
 to war, and elated with the hope of victory, was  
 not averse to the proposal. After deliberation on  
 both sides, a method to decide the contest was  
 agreed to, and fortune pointed out the proper  
 persons.

CHAP. XXIV. There happened to be, at that time, in each of the two armies, three brothers born at one birth, much of the same age, and seemingly alike stout. That they were the Horatii and Curiatii, is abundantly certain; nor is there any one action among the ancients, either more celebrated or better known: a doubt however still remains concerning their names; to which nation the Horatii, and to which the Curiatii belonged. Authors are divided about it; yet I find the greater number agree, that the Horatii were on the Roman side. My inclination leads me to follow them. The kings deal with the three brothers to decide the fate of their country in combat, assuring them, that the sovereignty over both nations was to be determined by the victory.

They readily consent: the time and place are agreed on. But before they engage, a treaty, between the Romans and Albans, is concluded on this condition, “ That that nation whose champions should come off conquerors in the combat, should peaceably reign over the other.” Different treaties are made on different terms, but they are all concluded in the same general method. This is the most ancient treaty recorded in history, which was ratified in the following form: A Fecialis \* asked king Tullus thus, “ Do you command me, O king, to conclude a treaty with the pater patratus of the Alban people?” After the king gave him orders, he said, “ I demand of thee, O king, ver-“ vain.” To which the king replied, “ Bring “ some that is pure.” The Fecialis brought some pure grass from the altar, and again asked the king, “ Do you, O king, appoint me the “ royal ambassador of the Romans? do you

\* Varro derives the name from *fides*, because they had the care of the public faith in leagues and covenants. Others derive it a *federe faciendo*, making treaties. Their original in Italy was very ancient. Dionys. Halicar. finds them among the Aborigines, under the name of *οὐρδοφόροι*, carriers of the libations. Numa first instituted the order at Rome, confining of twenty persons, chosen out of the noblest families in the city. They were ranked among the officers of religion, to procure them the greater respect. They were arbitrators of all controversies relating to peace and war; nor was it lawful on any account to take up arms, till they had declared all expedients that might bring about an accommodation, to be insufficient. The ceremonies used by them in denouncing war, and confirming former treaties after satisfaction given, are fully related by our author. Cicero likewise mentions a law which shews in a few words the function of the Feciales: *Federum pacis, belli, iuriciarum, oratores feciales judices duo sunt, bellaque disceptonto.* Aul. Gell. says, when the Fecialis threw the bloody javelin into an enemy's country, that he pronounced the following form of words: *The Hermondilian (a word of no determinate signification, but applied to all nations) people, and those of this country, have offered violence to the Roman people, who for that reason declare war against them.*

“ assign

" assign me equipage and a retinue?" The king answered, " What can be done without detriment to my right, or to that of the Roman people, I do." The Fecialis was M. Valerius, who appointed Sp. Fusius pater patratus, touching his head and hair with vervain. The office of pater patratus \* is to administer the oath, that is, to ratify the treaty, which he repeats in a long form of words too tedious to be recited. After setting forth the conditions, he says, " Hear, " O Jupiter, hear, O pater patrius of the Alban people, and ye Alban-people, hear. Those articles and conditions, as they have been publicly read, first and last, from these tables " or wax without deceit, and as they are here " this day clearly understood, the Roman people " will not break. If they, by public authority " or fraud, shall first violate them, do thou, O " Jupiter, in that day so strike the Romans as I " this day strike this hog; and let thy stroke be " proportionably heavier as thou art more mighty " and powerful." Having done this, he struck the hog dead with a flint-stone. The Albans go through their own forms, and their own oath, by their own dictator and priests.

\* Rosinus says, that this officer was the constant governor of the Feciales, book 3. chap. 21. Fenestella makes him a distinct officer, chap. 6. *Of the Roman priests.* Pomponius Lator, and Polydore Virgil, say, that he was chose by one of the Feciales, out of their own college, on extraordinary occasions, which opinion is supported by our author in this place. The person intrusted with this office behoved to be one who had a father and children both alive; and from hence the name of pater patratus signifies *a father in reality, or a perfecter sort of father;* for such was he thought to be, whose father was alive, after he himself was father of several children. Plutarch says, it was a political contrivance of Numa, who wisely judged, that one who had a father and children alive, would be more faithful to his country, and steadily promote its true interest.

CHAP. XXV. The treaty being concluded, the twin-brothers, as had been agreed, take their arms. Each side encouraged their own champions, by putting them in mind, “that the gods of “their country, their country and parents, all “their fellow-citizens, both at home and in the “army, had their eyes now fixed on their arms “and on their hands.” They, bold of themselves, and animated by these exhortations of their countrymen, march out into the middle between the two armies, who had sat down before their several camps rather out of present danger, than free from solicitude; since empire was at stake, and depended on the bravery and fate of so few. Roused therefore, and distracted between hope and fear, their attention is entirely fixed upon the unpleasant scene. The signal is given, and the champions, three of a side, animated with the courage of great armies, engaged with all the fury of mighty hosts. On neither side, a sense of their own danger; public government and slavery now fill their minds; and the future fortune of their country, for ever, which they were to determine. Immediately on the first encounter, the clashing of the arms, and the glittering of the burnished swords, struck the spectators with great horror: and hope as yet favouring neither side, it was with difficulty they could either speak or breathe. Coming afterwards to grapple hand to hand, when not only the motions of their bodies, and the doubtful brandishings of their weapons and arms, but the very wounds and blood were to be seen, the three Albans were wounded, and two of the Romans expiring, fell the one above the other. At whose fall, while the Alban army shouted for joy, the Roman legions, though they had lost all hopes of victory, were yet under great concern for their surviving champion, whom the three

three Curiatii had surrounded him. As good luck would have it, he had received no wound, and though no match against all the three, was yet able enough for them singly. Wherefore, in order to separate them, he betakes himself to flight, judging they would pursue him faster or slower as their wounds would permit. He had already run a good way from the place they had fought in; when, looking back, he perceives them following him at large intervals; and one of them not far from him: on him he turns short with great fury. And while the Alban army called out to the Curiatii to assist their brother, the victorious Horatius, having killed the first, was running to encounter the second. Then the Romans, with such shouts, as are commonly made on success after despairing of victory, encourage their champion, and he made all possible haste to finish the combat: therefore, before the third, who was not far off, could come up, he dispatches the second. And now there remained but one champion on each side to decide the quarrel; but their strength and hopes were very unequal. A body free from wounds, and a double victory, gave Horatius vigorous to a third encounter; the other, dragging after him a body weakened with loss of blood, and fatigued with running, dispirited likewise with the slaughter of his two brothers before his eyes, is presented to his victorious enemy. It could not be called a fight. The Roman exulting, "Two," says he, "I have already given to the manes of my brothers; the third I will sacrifice to the cause of this war, that the people of Rome may obtain the sovereignty over the people of Alba." And as he tottered under the weight of his arms, Horatius struck him on the throat, and stript him as he lay dead. The triumphing Romans receive Horatius with hearty

gratulations, and with the greater joy, as they had been nearer despair. Then they set about burying their dead ; but with very different hearts ; for the one side was become sovereigns, and the other subjects of a foreign state. Their tombs remain in the place where each of them fell. The two Romans are buried in one nearer Alba, and the three Albans towards Rome, but as distant from each other as the places in which they fought.

CHAP. XXVI. Before they leave that place, Mettus asking, pursuant to the treaty which had been concluded, what his commands were, Tullus commands him to keep the youth ready in arms, as he designed to employ them, if a war should break out with the Veientes. After this both armies are conducted to their own home. Horatius marched foremost, carrying before him the spoils of the three Curiatii, and was met before the gate \* Capena by his sister, a virgin who had been contracted to one of the Curiatii. Knowing her lover's military robe, which she had wrought with her own hands, she tears her hair, and with bitter wailings calls on her dead sweetheart, by name. The sister's lamentations raise the indignation of the young man, elated with his victory and so great public joy. Therefore drawing his sword, he runs her through the body, at the same time chiding her severely. " Go " hence," says he, " with thy unseasonable pas- " sion, to thy lover, forgetful of thy dead bro- " thers, and of him who is alive, forgetful of " thy native country. And thus may every Ro- " man woman perish, who mourns for the death " of an enemy." This action seemed barbarous

\* It was so called, because the Appian road to *Capua* lay through it. It now bears the name of *Porta di S. Sebastiana*.

to the fathers and to the people ; but his late glorious service counterbalanced the deed. However, he is hurried to his trial, before the king. The king, that he might not be the author of a sentence so melancholy and disagreeable to the people, or, after sentence, of taking punishment, calling an assembly of the people, “ I appoint “ duumvirs \*,” says he, “ who may judge the “ murder of Horatius according to law.” The law was of a horrible tenor. “ Let the duumvirs judge “ the treason. If the criminal appeal from the “ duumvirs, let his appeal be heard. If their “ sentence shall be confirmed, let him be hood-“ winked ; let him be hanged upon an unlucky “ tree by a rope ; let him be whipt either within “ or without the Pomœrium.” By this law duumvirs were appointed, who thought, that, according to it, it was not in their power even to acquit an innocent person : having therefore found him guilty, one of them pronounced sentence thus : “ P. Horatius, I judge thee guilty “ of murder ; go, executioner, bind his hands.” The executioner came, and was fastening the rope, when Horatius, by the advice of Tullus, a merciful interpreter of the law, called out, “ I “ appeal.” And upon this appeal the cause was tried before the people. In the trial the judges were moved with compassion, especially by P. Horatius the father, who cried out, that he thought his daughter was justly killed : if it had

\* *Duumviri perduellionis, or capitales*, were officers created for judging traitors. They were first appointed by Tullus Hostilius on this occasion ; and continued, as often as necessity required, during the regal government, and some time under the consular, at its first institution. But afterwards they were laid aside many years as a grievance. Cicero, in the decline of the commonwealth, complains, in an oration for C. Rabirius, who was accused of treason, of their revival by Labienus, tribune of the people.

been

been otherwise, he would have punished his son by virtue of his paternal authority. Then he begged that they would not make him childless, whom they had seen a little before blessed with so excellent a progeny. Upon this the old man, embracing his son, and pointing to the spoils of the Curiatii, fixed up in that place now called Pila Horatia \*, says, " Can ye, O Romans, " look on him bound under a gallows amidst " whips and tortures, whom you but lately saw in " triumphant procession, adorned with the spoils " of his enemies ? A spectacle so shocking, that " even the eyes of Albans could not endure it ! " Go, executioner, bind those hands which late- " ly, when armed, purchased sovereignty for the " Roman people ! Go, hoodwink the deliverer of " this city ; hang him on an unlucky tree ; whip " him either within the Pomœrium †, provided " it be amongst these columns and the spoils of " his enemies ! or without the Pomœrium, so it " be amidst the tombs of the Curiatii ! For whi- " ther can you lead this youth, where the ho- " nours he has achieved cannot protect him from " so shameful a punishment ? " The people could not withstand the tears of the father, or the re- solution of the son, so undaunted in all kinds of danger ; and acquitted him more through admira- ration of his bravery, than for the justice of his cause. But that so notorious a murder might be in some manner expiated, the father was com- manded to make satisfaction for the son at the public charge. He, having offered certain ex- piatory sacrifices, which were ever after continued in the Horatian family, and set up a gallows in the highway, made his son pass under it, as under

\* A square pillar built of stone.

† See chap. 44. of this book,

a yoke \*, with his head covered. The gallows remains even at this day, being constantly repaired at the expense of the public, and is called Sori-  
rium Tigillum †. A tomb built with square stones was erected to Horatia in the place where she was stabbed and fell.

CHAP. XXVII. The peace made with Alba did not continue long. The murmurs of the populace, because the fate of their state had been hazarded on three soldiers, debauched the fickle temper of the dictator ; and seeing honest counsels had not succeeded, he began to conciliate to himself the affections of the populace by perfidious ones. Wherefore, as he had first sought peace when he was engaged in war, so now when he enjoyed it, he longs for war ; and observing that his own city had more courage than strength, he stirred up other nations to commence open hostilities, reserving to his own to act the part of traitors under the disguise of allies. The Fidenates, a Roman colony, having communicated their design to the Veientes, under promise of being joined by the Albans, were induced to declare war, and take up arms. When Fidenæ had openly revolted, Tullus, sending for Mettus and his army from Alba, marches against the enemy. Having

\* This humbling ceremony was required by the Romans of those enemies who surrendered their arms, and submitted to the power of the conquerors. After which they had the liberty of returning to their own country. The king's design in forcing the young Horatius to submit to this ignominy, was to make the criminal sensible, that, according to the custom of the Romans, he deserved the fate and punishment of a slave. After a criminal was once declared guilty of high treason, and an enemy to his country, his name was struck out of the number of citizens, and he was looked on as a slave delivered to the rigour of the laws. This was their way of proceeding against the citizens who had betrayed the interests of their country.

† The sisters rafter.

passed the Anio \*, he incamped at the conflux of the two rivers. Between that and Fidenæ, the Veientes had passed the Tiber. They draw up in order of battle on the right wing near to the river, and the Fidenates on the left nearer the mountains. Tullus opposes his own men to the Veientes, and the Albans against the army of the Fidenates. The Alban general having as little courage as honour; not daring therefore either to stay, or openly to go over to the enemy, by degrees withdraws to the hills. When he thought he had got far enough, he posts his army on a rising ground, and being in suspense what resolution to take, to waste time, he widened their ranks. His design was to take part with the conquerors. The Romans who stood next them were at first amazed, when they saw their flanks left exposed by the drawing off of their allies. Then a trooper came at full gallop to inform the king, that the Albans were moving off. Tullus, in this dangerous juncture, vowed twelve Salii to Mars, and temples to Fear and Paleness; and chiding the trooper with a loud voice, so as the enemy might overhear, ordered him "to return to the battle: " There was no ground of fear; that by his order the Alban army was marching round to fall "on the unguarded rear of the Fidenates." He likewise commanded him to order the cavalry to carry their spears high; by which expedient the greatest part of the Roman foot were prevented from seeing the motion of the Alban army. Those who saw it believing what they had heard the king say, fought with the greater ardour.

\* A remarkable river in Italy, arising out of the mountains of Trebia; it waters the country Tibur, and falling from a precipice with prodigious force, forms a cataract, and after gliding through the valleys empties itself into the Tiber. It is now called *Tevere*.

The

The panic seizes the enemy, for they had heard what the king pronounced so audibly; and a great part of the Fidenates, as being a colony sent from Rome, understood Latin. Therefore, that their retreat to the town might not be cut off by a sudden descent of the Albans from the hill, they turned their backs. Tullus pursued, and having routed that wing in which the Fidenates were, returned with greater fury against the Veientes, disheartened by the terror of their allies: nor were they able to sustain his charge; but the river which was behind them, prevented a scattered flight. Some, shamefully throwing down their arms, rushed blindfold into the river; others, while they hovered on the banks, considering whether they should fight or fly, were killed. The Romans had never fought a bloodier battle.

CHAP. XXVIII. Then the Alban army, that had been spectators of the fight, is led down into the valley. Mettus congratulates Tullus on his defeat of the enemy, while Tullus on his part treats Mettus with great civility. He orders the Albans and Romans to incamp together, which he prayed might prove beneficial to both, and prepares a purifying \* sacrifice against next day. As soon as it was light, and all things in readiness, according to custom he commanded both armies to be assembled. The heralds, beginning at the utmost lines, gave the first notice to the Albans; they, moved likewise with the novelty of the thing, in order to hear a Roman king harangue, crowded next to him. The Roman army by concert surround them; and the centurions had it in charge to execute their orders without delay.

\* The purging or lustral sacrifice consisted of a sow, a sheep, and a bull.

Then

Then Tullus begins. " If ever, O Romans, in  
 " any former war, there was any thing for which  
 " you ought to have been thankful, first to the  
 " immortal gods, and then to your own valour,  
 " it was yesterday's battle: for ye fought not  
 " more with enemies, than, which is a more con-  
 " siderable and more dangerous fight, with the  
 " treachery and perfidy of allies: for, not to  
 " keep you longer in ignorance, the Albans  
 " retired to the hills without my orders. The  
 " command was not mine, but the feint and  
 " pretended command were, that you, still igno-  
 " rant of your being deserted, might not be dis-  
 " couraged from fighting; and that your enemies,  
 " imagining they were going to be surrounded,  
 " might turn their backs. Nor do I charge all  
 " the Albans with this crime: they followed  
 " their general, as you likewise would have done,  
 " had it been my pleasure to have drawn off from  
 " thence to another place. Mettus there, he is  
 " the leader of this march, Mettus is the con-  
 " triver of this war. Mettus is the infringer of  
 " the league concluded between the Romans  
 " and Albans. Let any one for the future at-  
 " tempt the like villany, if I do not make him a  
 " remarkable monument to all men." Here the  
 armed centuries hem them close in. The king, in  
 the mean time, goes on as he had begun. " My  
 " purpose is, and may it prove fortunate and  
 " auspicious to the Roman people, to myself,  
 " and to you, O Albans, to transplant all the  
 " inhabitants of Alba to Rome: to grant your  
 " people the rights of citizenship, and to admit  
 " your nobles into the rank of senators: to make  
 " one city; one republic; that as the Alban state  
 " was formerly divided of one into two nations,  
 " so now it may again be reunited into one." On  
 hearing this, the Alban youth, defenceless,  
 surrounded

surrounded by armed men, divided in their opinions, terrified however at the common danger, stand mute. Then Tullus : "If, O Mettus Fuf-  
" fetius," says he, " it had been possible for you  
" to have learned honour, and to observe treaties,  
" you might have lived and learned of me. But  
" now, since your spirit is incorrigible, you shall,  
" in your death, set mankind a lesson of the sancti-  
" ty of those treaties which you have violated.  
" As therefore your mind lately fluctuated be-  
" tween the states of Fidenæ and Rome, so now  
" your body shall be torn asunder." Then, hav-  
ing brought for the purpose two chariots drawn  
by four horses, he fastened Mettus, stretched at  
full length, to their wheels, and immediately  
driving the horses contrary ways, each chariot  
dragged after it such members of his body as were  
tied to it. The spectators, not able to behold  
this shocking sight, turned away their eyes. This  
was the first and last instance of a punishment  
inflicted by the Romans inconsistent with the  
laws of humanity: on all other occasions they  
may boast, that no nation ever used less severity  
in punishments.

CHAP. XXIX. In the mean time the horse were detached before to Alba to transplant the people to Rome, and afterwards the foot were sent to demolish the city. Their entry into it was not attended with such confusion and terror as is usual at the taking of towns, where, after breaking the gates, levelling the walls by battering-rams, or taking the citadel by storm, the shouts of the enemy, and running of armed men through the town, spread fire and sword every where; but a mournful silence and sullen grief so seized the hearts of all, that, through fear, forgetting what they should leave, or what carry

away with them, losing all presence of mind, and often asking one another questions, they sometimes stood in their doors, and sometimes roved up and down their houses, which they were to see no more. But as the voice of the horsemen, commanding them to be gone, admitted of no delay ; and the crash of the houses, which were demolishing, were now heard from the most distant parts of the city ; and the dust, rising in different places, had already covered every thing like a cloud : every one snatching up what he could, left his household gods, his country gods, and those very roofs under which he had been born and educated. A continued train of those who were removing, covered the streets; and their tears were renewed at the sight of one another through mutual sympathy. Doleful shrieks, especially of the women, were heard as they passed by their magnificent temples beset with armed men, and left their gods as it were prisoners. As soon as the Albans had evacuated their city, the Romans levelled all, both public and private buildings, with the ground, and in one hour demolished and razed what had been the work of four hundred years, for so long had Alba stood. But the temples were spared by the king's express order.

CHAP. XXX. The demolition of Alba, in the mean time, became a considerable accession of greatness to Rome. The number of citizens was doubled. Mount Cœlius was added to the city; and in order to fill it with inhabitants, Tullus built a palace, and ever after lived there. Likewise, to augment the order of senators, he admitted into it the principal of the Alban families, the Tullii, Servilii, Quintii, Gegani, Curiatii, and Clœlii. Upon this addition to the order, he built a temple for a senate-house, which bore

bore the name of Hostilia, or the days of our fathers. And that every rank might have some additional strength from the new people, of them he formed ten centuries of knights ; with them he likewise recruited the old, and raised new legions. In confidence of this reinforcement, he declared war against the Sabines, at that time the most powerful and warlike of all their neighbours, except the Etrurians. Injuries had been done by both sides, and satisfaction demanded in vain. Tullus complained of the seizing some Roman merchants, at a free mart held near the temple of the goddess Feronia\* ; as did the Sabines, of their people being detained at Rome, notwithstanding they had taken refuge in the asylum. These injuries were given out to be the causes of the war. The Sabines reflecting, that Tatius had incorporated part of their force with Rome, and also upon the late accession of strength to that state by transplanting the Albans thither, likewise looked out for foreign aid. The Etrurians bordered upon them, and of these the Veientes were their nearest neighbours. From thence they drew such volunteers as still retained a keen resentment of the former wars, and were eagerly disposed for a revolt. Several vagrants likewise of the poorer sort of people were got to list in their service for pay ; but they had no assistance from the state : for the Veientes strictly observed the treaty formerly concluded with the Romans ; and as to the

\* *Feronia, a ferendis arboribus,* a goddess of the groves. The tradition is, that when her grove on the mountain Soracte, now *Monte Sanspietro*, was burnt down, the people carried her picture to the place, and immediately the wood grew up again. Servius says, she was a nymph of Campania. He makes her also the goddess of freemen, in whose temple, after shaving their heads, they put on their caps, the badge of their liberty. According to Strabo, persons inspired by her could walk barefooted over burning coals without being hurt.

other nations, it is less surprising, that they took no part with them. After both sides had made all possible preparation for the war, and nothing seemed to remain, but who should strike the first blow, Tullus was beforehand with them, and marched into their country. They fought a bloody battle near the Malefactors forest \*, in which the Roman army was far superior, not only by the strength of their foot, but also by the late augmentation of their horse. The Sabine ranks were first broke by a vigorous charge of the Roman cavalry; nor could they afterwards either fight or fly, without exposing themselves to be slaughtered by the enemy.

CHAP. XXXI. After this defeat of the Sabines, when the administration of Tullus was in high renown, and the Roman state in a very flourishing condition, word was brought to the king and senate, that it rained stones on mount Alba. As they could scarce give credit to the report, they sent proper persons to inquire into the prodigy, who saw them fall thick from heaven, like hailstones which the winds drive in round balls along the ground. Besides, they imagined that they heard a loud voice from the grove on the summit of the hill, requiring the Albans to perform their religious service according to the rites of their native country, which they had forgot, as if they had relinquished their country and their gods at the same time, and either conformed to the religion of Rome, or, enraged at their ill destiny, utterly renounced the worship of the gods. The Romans on account of this prodigy, either in obedience to the heavenly voice which

\* It is plain it was so called, because it served as a retreat for robbers.

they

they had heard from mount Alba, for this reason is affigned, or by the advice of the Aruspices \*, also instituted an expiatory sacrifice for the space of nine days. This much is certain, that as often as the city was alarmed with the same prodigy, nine days were employed in such expiations. Not long after the pestilence raged among them. Though it checked their military ardour, yet their warlike king gave them no respite from arms, convinced that action contributed more to the bodily health of the youth, than loitering at home; till at length he himself was seized with a lingering disorder. His great spirit sunk so much at the same time with his body, that he, who till then thought nothing more unbecoming the dignity of a monarch, than a mind addicted to the observances of religion, of a sudden gave himself up to superstition in every instance great and small. He is said likewise to have infected the people with it. For the generality demanding that affairs should be restored to the same state which they had enjoyed under king Numa, believed there was no other relief for their diseased bodies, than obtaining peace and pardon from the gods. It is given out, that the king finding, as he searched the register of Numa, that certain private sacrifices had been yearly offered by him to Jupiter Elicius, shut himself up to perform the same; but either they were unseasonably begun, or not regularly offered; for he not only saw no celestial apparition, but Jupiter was so provoked at his mistaken zeal, that he consumed both him and his house with lightning. Tullus reigned two and thirty years, and had the character of an excellent soldier.

\* The Aruspices had their name *ab aris aspiciens*, from looking upon the altars; as *ab extis inspiciens*, looking upon the entrails, they were called extispices.

CHAP. XXXII. Upon the death of Tullus, the government, according to the original institution, returned into the hands of the Fathers, who having named an interrex, and he assembled the comitia, the people elected Ancus Marcius king. The Fathers confirmed the election. He was the grandson of Numa Pompilius by his daughter. As soon as he ascended the throne, reflecting both on the renown of his grandfather, and because the last administration, glorious in every respect excepting this, that religion had either been utterly neglected, or not performed according to due rites, thinking it most adviseable to restore the ancient institutions of Numa, commands the high priest to collect them out of that king's register, and transcribe them into tables to be exposed to the view of the people. His own subjects, enamoured with ease, and likewise the neighbouring nations, from hence entertained great hopes, that he would fall into the conduct and customs of his grandfather. In this confidence, the Latins, with whom a treaty had been made in Tullus's reign, took courage, and having made an incursion upon the Roman lands, when they demanded satisfaction, returned them a contemptuous answer, adding, that the Roman king was slothful; thinking he would devote his whole reign to chapels and altars. As Ancus in his natural temper resembled both Romulus and Numa, he was equally disposed either for peace or war. And besides that he thought pacific measures were more necessary in the reign of his grandfather, when the people were but newly settled, and of a martial temper; he likewise considered, that he could not enjoy that peace which Numa had, without exposing himself to insults; that his patience had been tried, and on the trial derived on him contempt; that the present times required rather a martial

martial Tullus than a pacific Numa. Yet as Numa had, in peace, instituted religious rites, so he, after his example, would establish military regulations, whereby war should not only be carried on, but declared in proper form. He copied, from the ancient Equicolæ \*, that form which the Feciales in our days observe, when they demand satisfaction for injuries. The Fecialis, when he comes to the frontiers of that people of whom satisfaction is to be demanded, having his head covered with a woollen cap, says, "Hear, O Jupiter, hear, O confines," (naming the nation they belong to), "let justice hear. I am a public messenger of the Romans; I come with a just and pious commission, and let my words gain credit." Then, after mentioning his demands, he makes a solemn appeal to Jupiter. "If I unjustly or impiously demand those persons and these goods to be given up to me, the messenger of the Roman people, then never permit me to return to my native country." These words he repeats when he comes to their frontiers, to the first man he meets, at his entering the gate of their city, and at his going into the market-place, varying some few words in the form of the speech and oath. If those persons whom he demands are not delivered up before the expiration of thirty-three days, for this was the time limited, he declares war in form as follows: "Hear, Jupiter, and thou Juno, thou Romulus, and all ye celestial, terrestrial, and infernal gods, give ear! I call you to witness, that this nation" (naming it) "is unjust, and acts not according to the laws of equity; but we will consult the Fathers in our own country, concerning these matters, and by what means we may obtain

\* A people inhabiting the hills above Tiber,

"our

“ our right.” After that he returns to Rome for advice ; and the king immediatly consults the Fathers almost in the following words : “ Concerning such matters, differences, and quarrels, as the Roman pater patratus, in behalf of the Roman people, hath declared to the pater patratus of the ancient Latins, and such things as ought by the ancient Latins to have been yielded, granted, and performed, and which they have neither yielded, granted, nor performed; tell,” says he, to the man whose opinion he asks first, “ what is your opinion :” then he, “ I think these things ought to be demanded by open and just war ; for this I declare, and for this I vote.” Then the rest were asked in order ; and when the majority of those present agreed in the same opinion, the war used to be unanimously concluded on : that the facialis should carry in his hand a javelin headed with iron, burnt at the end, and dipped in blood, to the confines of the enemy’s country, and, in presence of at least three persons, not under fourteen years of age, should pronounce, “ On account of the injuries and damages done to the Roman people, by the people of the ancient Latins, and because the Roman people have commanded war to be made upon the ancient Latins, and the senate of the people of Rome hath voted, agreed, and determined, that war should be denounced against the ancient Latins, war I and the people of Rome solemnly proclaim and make upon the people of the ancient Latins, and the ancient Latin men.” Having said so, he threw a dart upon the enemy’s lands. In this manner was restitution then demanded, and war proclaimed against the Latins : and this ceremonial posterity adopted.

CHAP. XXXIII. Ancus intrusting the care of sacred things to the flamins and other priests, levied a new army, and marching against Politorium \*, a city of the Latins, took it by storm. After the example of former kings, who had enlarged the Roman state by taking their enemies into the city, he transplanted all the people to Rome. And seeing the ancient Romans inhabited round the Palatine hill, the Sabines in the Capitol and castle, and the Albans filled mount Cælius, the Aventine was assigned to the new people, whose number was soon after increased upon the taking of Tellenæ and Ficana †. After this Politorium was reduced a second time by force of arms, because the ancient Latins had taken possession of it when desolate. The Romans therefore demolished it, to prevent its being always a place of refuge to the enemy. At length the whole war with the Latins centering about the town Medullia, they fought there with various fortune, sometimes the one and sometimes the other gaining the victory; for the town was both well fortified and defended by a strong garrison, and the Latins being incamped in the open fields, had several times joined battle with the Romans. At last Ancus, mustering all his forces, obtained a complete victory over them in a pitched battle, and having thereby got a considerable booty, returned to Rome. At this juncture many thousands of the Latins were admitted into the city; to whom, in order to join the Palatine and Aventine hills, he assigned habi-

\* It is difficult to determine exactly where Politorium stood. It was in Latium, and commonly reckoned to have been fourteen or fifteen miles south-east from Rome.

† These two cities are conjectured to have stood at a little distance from each other, above Lavinium, towards the mouth of the Tiber.

tations near the temple of Murcia \*. Janiculus † was likewise added, not for want of room, but lest at any time it should become a lodgment for the enemy. He thought proper to join it to the city, not only by a wall, but likewise, for the sake of an easy communication, by a wooden bridge, which was the first built cross the Tiber. The Fossa Quiritium, a good defence against the easy access to the city from the low grounds, was the work of this king. Upon this great addition to the state, as the people were very numerous, and it being difficult to distinguish good from bad, many secret villanies were committed; in order to check the growing licentiousness, he built a prison in the heart of the city, overlooking the forum. Nor was the city only enlarged under Ancus, but even its lands and territories. The forest Metia ‡ was taken from the Veientes, and the Roman domain extended to the sea. He built the city Ostia || at the mouth of the Tiber, dug the salt-pits about it, and, after extraordinary success in war, enlarged the temple of Jupiter Feretrius.

### CHAP. XXXIV. In the reign of Ancus, there

\* The goddess of Sloth, who made men idle and lazy. Her temple stood at the goal of the circus, or horse-race; whence the place was called *Meta Murcia*.

† One of the seven hills of Rome; now called *Montano*. From it is had the fullest prospect of the city. It has the Tiber to the east and south; the fields to the west, and the Vatican to the north.

‡ A wood of Tuscany, now called *Bosco di Montano*, towards the river Cremera, not far from Ostia.

|| The ruins of this city lie above new Ostia. It was founded on the left bank of the Tiber, in the elbow which the sea makes at the mouth of that river. Dionys. Hal. gives a noble description of the port belonging to it; but Strabo, b. 5. says it was a very sorry one. The Latin word *ostium* signifies a door or entrance; and this town was probably called *Ostia*, because it stood at the entrance of the port.

came

came to settle at Rome, one Lucumo, a rich and active man, prompted chiefly by the hopes and strong desire he had of obtaining honours and preferment there, which he could not attain to at Tarquinii \*, the city where he was born, because his parents were foreigners. He was the son of Demaratus, a Corinthian, who, flying his country for sedition, had happened to settle at Tarquinii, and having married a wife there, had two sons by her. Their names were Lucumo and Aruns. Lucumo, surviving his father, became heir to all his estate. Aruns died before his father, leaving a wife with child : nor did the father long survive the son : as he knew not that his daughter-in-law was with child, and dying without making any provision for his grandchild in his will ; the boy that was born after the death of his grandfather, having no share in his fortune, was, on account of his poverty, called Egerius †. Lucumo, on the other hand, sole heir of all his father's fortune, as riches inspire pride, became more ambitious upon marrying Tanaquil, a lady of great distinction, and who could not easily brook that the quality of her husband should be inferior to that of the family whereof she was descended. As the Etrurians despised Lucumo, because his father was a foreign exile, she could not bear the affront, and regardless of the innate love of her native country, provided she might see her husband advanced to honours, resolved to leave Tarquinii. Rome seemed to be the fittest place for her purpose : in this state lately founded, where all nobi-

\* A town of Etruria built by Tarcon, who is said to have assisted Æneas against Turnus, and from him it got the name of Tarcona. It is now called Tarqueno, and is in the patrimony of St Peter, in the duchy of Castro. Its ruins are yet to be seen, a mile above Corneto.

† From, *egere, to be in want.*

lity

lity was of fresh date, and the reward of merit, there would be room, she said, for her husband, a man of courage and activity, to expect preferment : that Tatius a Sabine had been king of Rome : that Numa had been sent for from Cures to reign there : that Ancus had a Sabine for his mother, and could only shew the single statue of Numa for his nobility : she easily persuades him, who was naturally ambitious, and only attached to Tarquinii because his mother had been born in it : Therefore sending off their effects, they set out for Rome. They happened to come to the Janiculum ; there, as he sat in the chariot with his wife, an eagle, suspended on her wings, gently stooping, took off his cap, and flying round the chariot with great noise, as if she had been sent from heaven for the very purpose, orderly replaced it on his head, and then soared aloft. Tanaquil is said to have received this omen with great joy, being a woman well skilled, as the Etrurians generally are, in celestial prodigies, and embracing her husband, bade him hope for great honours and preferment. She assured him, “ That that bird had come from a particular quarter of the heavens, and was the messenger of Jupiter ; that it had taken the omen from the highest part of man : that it had lifted the ornament to the human head, to replace it there by the heavenly command.” Filled with these hopes and thoughts, they enter the city, and having purchased a house there, he ordered himself to be called Lucius Tarquinius Priscus. His being a stranger and very rich, soon made him to be taken notice of. He likewise promoted his own good fortune by his affability and kind invitations, and gained the favour of as many as he could by doing them all manner of good offices ; at length his fame reached the court, where,

where, by discharging his duty about the king with politeness and address, he soon became intimate with him, and improved this intimacy so far, that he was made his confident; and was present at all public and private councils, relating either to peace or war. And having on all occasions given proofs of his ability and integrity, at last the king in his will appointed him guardian to his children.

CHAP. XXXV. Ancus reigned twenty-four years, and was not inferior to any of the former kings in the arts of peace and war. His sons were at this time nigh fourteen years old, which made Tarquin summon the comitia for the election of a king with the utmost expedition. After he had called an assembly of the people, he sent the boys a-hunting, at the time of their meeting. He is said to be the first who earnestly sued for the crown, and made a speech composed on purpose to gain the hearts of the people. “ He did not “ ask a thing that was uncommon, or without “ precedent; as he was not the first, which any “ one might have been surprised or offended at, “ but the third foreigner, who had aspired to the “ crown of Rome. That Tatius was not only “ from an alien, but even from an enemy, made “ king. Numa, who was unacquainted with the “ constitution of the city, and without soliciting “ it, had been invited by them to take upon him “ the government. That as soon as he was at “ his liberty, he had come to Rome with his wife “ and whole fortune, and had there spent a great- “ er part of that age in which men are employed “ in civil offices, than in his native country. He “ had, both in peace and war, thoroughly learned “ the Roman laws and religious customs, under “ a most excellent master king Ancus. He had  
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" vied with all in duty and loyalty to his prince, " and even with the king himself in his bounty to " others." While he was recounting these undoubted facts, the people by a great majority elected him king. The same ambition which had prompted Tarquin, who was otherwise an excellent man, to aspire to the crown, did not leave him after he obtained it. And being no less careful to establish his own authority, than improve the commonwealth, he created an hundred new senators, who from that time were called Senatores minorum gentium \*, a party always sure in that king's interest, by whose favour they had been advanced to that dignity. The first war he made was with the Latins, from whom he took Appiolæ † by storm ; and bringing back more booty than could have been expected in such an inconsiderable war, he celebrated his games with more cost and magnificence than the former kings. The place for the circus, which is now called Maximus ‡, was then first marked out, and places

\* They were so called because they were chosen out of plebeian families. But this name was never authorised by any public act : they had the same authority as other senators, and their children were deemed patricians.

† It is conjectured, that Appiolæ was situated near the Anio, in the neighbourhood of Crufuminum and Corniculum, upon the confines of Latium and Sabinia. This city was entirely destroyed, and there are now no traces of it remaining.

‡ This circus had four fronts ; one at the bottom of it, where the posts stood, round which the chariots were obliged to turn ; one at the opposite end, where they started ; and one at each side, where the spectators sat in two great galleries. It is certain, that at least that front, where the turning posts stood, described part of a circle ; and it is probable, that the opposite front, from which the chariots started, was semicircular. Dionys. Hal. says, that this circus was three stadia and an half long, and four jugera broad, and that one hundred and fifty thousand men could fit in it at their ease. According to Pliny, a stadium contained six hundred and twenty-five Roman feet, each of which contained twelve inches or fifteen fingers breadth ; consequently it must have been two thousand one hundred and eighty-seven Roman feet long. The jugerum

ces were allotted for the senators and knights, where they might erect galleries for themselves. These galleries were called fori. They stood to see the games on scaffolds raised twelve feet from the ground, supported by forked posts. The games consisted in horses and boxers generally brought from Etruria. From this time they have continued every year with great solemnity, and are called sometimes the Roman, and sometimes the great games. By the same king likewise the ground round the forum was assigned to private persons to build on, where they erected shops and piazzas.

CHAP. XXXVI. He was preparing to inclose the city with a stone wall, when a Sabine war interrupted his designs. It broke out so suddenly, that the enemy had passed the Anio, before the Roman army could meet and stop them, which greatly alarmed the city. In the first battle many were slain on both sides, and the victory disputed. After this the enemy's forces retired into their camp; and the Romans getting time to make new levies for the war, Tarquin, thinking that the weakness of his army lay in the want of horse, determined to add other centuries to the Ramnenses, the Titientes, and Luceres, which Romulus had appointed, and to distinguish them by his own name. Because Romulus had done this by augury, Attus Navius, at that time a celebrated augur, insisted that no alteration or new appointment of that kind could be made, unless the birds approved of it. The king enraged at this, and, as it is said, ridiculing the art, says, "Come, thou

Jugerum contained two hundred and forty Roman feet, so that it was nine hundred and forty Roman feet broad. It stood in the Myrtian valley, and reached from the Aventine to the Palatine hill.

"diviner, tell me, whether what I am thinking  
 "on can be done or not?" When he had tried  
 the thing by divination, he affirmed it could cer-  
 tainly be done. "But I was thinking," replied  
 the king, "whether you could cut afunder this  
 "whetstone with a razor. Take them, and per-  
 "form what thy birds foretel may be done." Up-  
 on this, as it is reported, he immediately cut the  
 whetstone into two. A statue of Attus\*, with  
 his head veiled, was erected in the comitium †,  
 upon the stairs on the left of the senate-house, the  
 spot where the thing was done. It is likewise said,  
 that the whetstone ‡ was deposited in the same  
 place, that it might remain a monument of that  
 miracle to posterity. It certainly derived so much  
 honour to augury and the college of augurs, that  
 nothing was undertaken, either in peace or war,  
 without taking the auspices. Assemblies of the  
 people were dismissed, armies, after they were le-  
 vied, disbanded, and affairs of the greatest import-  
 ance broke off, when the birds would not allow  
 it. Nor did Tarquin then make any alteration in  
 the centuries of horse; he only doubled the num-  
 ber of men in each of these corps, so that the three  
 centuries consisted of one thousand eight hundred

\* If we may judge of Navius by his statue, which was of a lesser size than ordinary, he was but small of stature. It appears by the medals, that the augurs were always represented with one of the lappets of their robe thrown over their heads like a cowl, when in the performance of their office.

† It was so called *a coemulo, quasi comedo*, because the people assembled in that place. It was a part of the forum of Rome, at the foot of Mount Palatine, over-against the Capitol.

‡ Some authors say the stone was buried in the comitium, near the place where justice was administered, and above it was erected an altar, on which men were sworn, by touching it with their hands. The form of the oath was this, *Si ego te, calling Jupiter to witness, sciens fallo, ita me Diespiter bonis, salva urbe & arce, ut ero hunc Ispidem*, and then let drop a stone which they had in their hands.

knight.

knights. The newly added were incorporated under the same names with the former; which, now that their number is doubled, are called six centuries.

**C H A P . XXXVII.** Having augmented this part of his forces, he fought a second battle with the Sabines. But, besides that the Roman army was thus reinforced, they slyly had recourse to a ~~Artagem~~; persons were sent to set fire to a great quantity of timber, lying on the banks of the Anio, and then throw it into the river. The burning wood, driven by the wind, catched hold of the piles and boats \*, and set the bridge in a flame. This accident damped the Sabines in time of battle, and after they were routed, hindered their flight; so that many who had escaped the enemy, perished in the river. Their arms floating down the Tiber, being known at Rome, ascertained the victory, before any account of it could be brought by the king's courier. The chief glory of this action was due to the cavalry: for being posted in the two wings, when the infantry, which composed the main body of their own army, gave way, it is said, they charged so briskly in flank, that they not only stopt the Sabine legions who pressed hard on those who retired, but quickly put them to flight. The Sabines ran with great precipitation to the mountains, yet few reached them; for, as we said before, the greatest part was pushed by the horse into the river. Tarquin thinking it advisable to pursue the enemy closely while they were in this consternation, after sending the prisoners and booty to Rome, piling up and burning the spoils which he had vowed to Vulcan, advanced

\* Part of the Sabine army was posted on one bank of the river, and part on the other, and had a communication by a bridge of boats.

with his army into the Sabine territories. Though the Sabines had been very unsuccessful, and could not hope for better fortune, yet as the approach of the enemy allowed them no time to deliberate, they came out to meet him with an army raised in haste. They were again defeated, and, being reduced to the last extremity, sued for peace.

CHAP. XXXVIII. Collatia \* and all the land about it was taken from them, and Egerius the king's nephew left there with a garrison. I find it upon record, that the people of Collatia surrendered, and that the form of the surrendry was as follows. The king asked them, "Are ye ambassadors?" "dors and deputies sent by the people of Collatia" "to surrender yourselves and them?" "We are." "Are the people of Collatia their own masters?" "They are." "Do ye surrender yourselves and the people of Collatia, their city, lands, water, boundaries, temples, utensils, and every thing sacred or profane belonging to them, into my power, and the hands of the Roman people?" "We do." "And I receive them," says the king. The Sabine war being ended, Tarquin returned in triumph to Rome. Then he made war upon the ancient Latins, where there was no general engagement; by carrying his arms against their towns one after another, he subdued all the nation. The cities of Corniculum, old Ficulea, Cameria, Crustumerium, Ameriola, Medullia, and Nomentum †, were either taken from

\* This city stood on the confines of Latium and Sabinia, between the Prænestine way, and the left bank of the Anio, six miles from Rome.

† Most geographers place Corniculum between the Tiber and the Anio, half-way from Tibur to Fidenæ. Holstenius thinks it stood where now stands the little town of St Angelo, near Torre Vergata, two miles from the Montes Corniculani, mentioned by Dionys.

from the ancient Latins, or from those who had revolted to them. Upon this a treaty ensued ; after the conclusion of which he set about the works he had begun in time of peace with greater vigour than he had carried on the war ; insomuch that the people enjoyed no more ease and quiet than they had done in the field : for he prepares to surround the city with a stone wall, on the side where he had not fortified it ; the beginning of which work had been interrupted by the Sabine war. Because it was difficult to carry off the water from the flat grounds, he drained the low places of the city about the forum \*, and the other valleys, lying

enf. Hal. b. 1. which Kircher thinks were the mounts St Angelo and Monticelli.

Ficulea was a town of Latium.

Cameria stood not far from Rome, and is conjectured to have been in the neighbourhood of Cenina, near the river Anio. Holmius says, it was beyond this river near Palombara.

Crustumerium was a town belonging to the Sabines. It is now called *Palombara, or Monte Rotondo.*

There is no trace left of Amerio.

Medullia stood at a small distance from Rome and the Anio. But there remain at this time no marks of its ancient situation.

Nomentum was one of the most considerable cities of Sabinis, near the Salarian way and the banks of the river Allia, not far from the waters which are at this time called *i bagni della Grotta Marozza*, ten miles from Rome. It is now only a village bearing the name of *Lomentano*.

\* The Roman forums were public buildings, about three times as long as they were broad. They were surrounded with arched portico's, only some passages were left for places of entrance. They were of two sorts, *fora civilia* and *fora venalia*. The first were designed for the ornament of the city, and for the public courts of justice ; the others were intended for no other end but the necessities and conveniences of the inhabitants, and answered to our markets. In this place is meant the *forum Romanum*, which belonged to the former sort. Tarquin the elder adorned it with portico's, temples, and shops for tradesmen on all sides. It was so called because of its antiquity, and of the most frequent use of it in public affairs. Mart. and Stat. call it *forum Latium* : Ovid gives it the same name, and likewise that of *forum magnum*. Herodian calls it τὴν ἀρχαῖαν ἀγορὰν, *forum vetus*. It reached from the Capitol to Mount Palatine.

between

between the hills, by common sewers \* which were carried sloping into the Tiber. Moreover, he levelled an area for founding a temple to Jupiter in the Capitol, which he had vowed to him in the Sabine war; his mind even then presaging the future grandeur of the place.

CHAP. XXXIX. At that time, a prodigy that was both wonderful in its appearance and event, happened in the palace. It is said, that the head of a boy, called Servius Tullius, was seen by many bystanders surrounded with a flame as he lay fast asleep. The noise was so great, upon seeing this strange sight, that the royal family was awaked: and as one of the servants was bringing water to extinguish the flame, he was with-held by the queen, who, after the confusion was over, forbade them to disturb him, till he should awake of his own accord. As soon as he awoke, it disappeared. Then Tanaquil, taking her husband into a private place, "Do you observe," says she, "this boy whom we bring up in so mean a manner? I would have you know for certain that he will be some time or other a light and a guide to us in our adversity, and a protector to our royal family in distress. From henceforth let us,

\* All the arches of these sewers were built with hard stone; and no expense was spared to make the work durable. Their height and breadth were so considerable, that a cart loaded with hay could easily pass through them under ground. But the greatest difficulty of the work was to convey the waters, which through these sewers were to carry off the filth into the Tiber. It was necessary to cut, through rocks under the city, a channel large enough for a navigable stream, and covered with arches strong enough to bear the weight of houses, which were often built upon them, and stood as firm as on the most solid foundations. We may judge of the expense of this prodigious work, from the sum which the censors gave to him who undertook to clean the sewers, which was a thousand talents. This last sum, according to Dr Arbuthnot's computation of the Attic talent, amounts to 193,750 l. Sterl. "With

" with the utmost care, train up this youth, who  
" is capable of becoming the greatest ornament to  
" the public and to us." From this time the boy  
was treated as their own son, and instructed in  
those sciences whereby great souls are excited to  
aim at an elevated fortune. It easily happens  
what the gods interest themselves in. The young  
man discovered early a truly royal disposition : nor,  
when they looked out for a son-in-law to Tar-  
quin, could any of the Roman youth be compared  
to him in any accomplishment ; the king gave  
him his daughter in marriage. For whatever  
reason this great honour was conferred upon him,  
it leaves us no room to believe that he was either  
born of a slave, or was himself a slave in his infan-  
cy. I am rather of their opinion who say, that,  
upon the taking of Corniculum, the wife of Servius  
Tullius, who had been the chief man in that  
city, was left with child when her husband was  
killed, and being known among the rest of the  
prisoners by the Roman queen, was by her, solely  
on account of her rank, rescued from slavery : she  
lay in at Rome in the palace of Priscus Tarquini-  
us : and afterwards, on account of this great fa-  
vour, the two ladies contracted an intimate friend-  
ship ; and that the boy, being brought up at court  
from his infancy, had been highly beloved and e-  
steemed there ; that the fortune of the mother,  
who, upon the destruction of her native country,  
fell into the hands of the enemy, gave rise to the  
story of his being born of a slave, and made it be  
believed.

CHAP. XL. About the thirty-eighth year of  
Tarquin's reign, Servius Tullius was the man in  
the highest favour not only with the king, but also  
with the senators and people. It was then that the  
two sons of Ancus, although they had all along  
borne

borne the most violent resentment, that they had been deprived of their father's kingdom by the fraud of their guardian, and the supreme power in Rome lodged in the hands of a foreigner descended of no family belonging to that state, nor even within the bounds of Italy; that the indignity would be still more intolerable, if the kingdom, even upon the death of Tarquin, was not to return to them, but fall immediately into such meanness; that in the same state, in the space of an hundred years after Romulus of divine descent, and himself a god, had swayed the sceptre so long as he was on earth, it should be put into the hands of a slave\* and the son of a slave. It would be a reproach to the Roman name, and especially to their family, if, while the male issue of Ancus remained, the government of Rome was to be open, not only to foreigners, but even to slaves. They therefore resolve to employ their swords to prevent that disgrace. But as their sense of the injury done them excited their indignation against Tarquin more than against Servius, and because the revenge of the king, if he should survive, would be more severe than that of a private man; besides, it was probable, though Servius was taken out of the way, that whoever the king should chuse for his son-in-law, he would likewise adopt him for his successor in the kingdom: Upon all these considerations, the plot was laid against the king himself. Two of the most resolute of all the shepherds, chosen for executing their cruel design, and armed with such iron instruments as they used in the woods, under pretence of a quarrel, made as great a noise as they could at the gate of the palace, and thereby drew all the king's officers about them. As both appealed to the king, and their

\* See preceding chapter, and book 4. chap. 3.

clamour

clamour was heard over all the palace, they were called before him. Upon their first appearance they bawled out both at once, striving to interrupt one another with their noise ; but when checked by the lictor, and ordered to speak by turns, they ceased railing. Then one of them, according to concert, begun to tell his story ; and while the king was steadfastly looking upon him, the other lifting up his hatchet struck him on the head, and leaving it in the wound, both of them made the best of their way out of doors. Those who were present took up the king ready to expire, and the lictors seized the assassins endeavouring to make their escape. This occasioned a noise, and the people flocked together in great numbers, wondering what the matter was.

CHAP. XLI. Tanaquil during the confusion orders the palace-gates to be shut, puts out all witnesses ; and in the mean time, as if there had been hopes of her husband's recovery, she carefully gets ready every thing proper for the cure of the wound ; at the same time, if it should be past all hopes, she contrives other means of securing herself. Servius being immediately sent for, after shewing him her husband almost without any signs of life, holding his right hand, she conjures him, that he would not allow the death of his father-in-law to go unrevenged, nor his mother-in-law to be exposed to the insults of her enemies : “ The kingdom is yours, Servius,” says she, “ if you are a man ; not theirs, who by others hands have committed the worst of crimes. Take courage, follow the direction of the gods, who, by spreading a divine flame round this head, have foretold, that it shall one day appear in the world with great lustre ; let this celestial flame now rouse you ; awake now in earnest.”

“ earnest. We that were strangers have enjoyed  
 “ the sovereign power here. Consider who you  
 “ are, and not of whom you was born. If you  
 “ are at a loss how to act by reason of this sudden  
 “ accident, follow my advice.” When the noise  
 and pressure of the mob could scarcely be with-  
 stood, Tanaquil addresses the people from one of  
 the windows which opened to the new way, for  
 the king dwelt near the temple of Jupiter Stator \* : “ She bids them be of good courage, for  
 “ the king was not dead, but stunned by the sud-  
 den blow he had received. The hatchet had  
 “ not penetrated far into his body, he was alrea-  
 dy come to himself. Now that the wound was  
 “ searched, and the blood washed away, all symp-  
 toms appeared favourable, and she hoped they  
 “ would see him very soon. In the mean time  
 “ he ordered them to obey Servius Tullius, who  
 “ would administer justice to them, and perform  
 “ every other part of the regal office.” In con-  
 sequence of this declaration, Servius went abroad  
 attended by the lictors, clothed in royal robes †,  
 and sitting on the throne, finally determined some  
 causes, pretending to reserve others till he should  
 have an opportunity to consult the king about  
 them. The king’s death being thus concealed for  
 some days, Servius, under pretext of supplying  
 his place, got time to strengthen his own interest.  
 Being at length made public, and the wailings  
 raised in the palace, Servius, surrounded with a  
 strong guard, was the first who was advanced to the

\* It is thought it stood in the circus Flaminus near the temples of Mars, Vulcan, and Bellona.

† According to Dion. Hal. and other ancient authors, the *trabea* was very like the *toga*, with this difference, that it was adorned with stripes of purple, at due distances, on a white ground. This was the ordinary habit of the kings of Rome. And the chief magistrates of the republic, and the Roman knights appeared in it on certain festival days.

throne by the senators, without the consent of the people. The sons of Ancus, hearing that the assassins, whom they had employed, were seized, that the king was still alive, and Servius's party, very considerable, went into voluntary banishment to Suesia Pometia \*.

CHAP. XLII. Nor did Servius now strengthen his interest more by the management of public affairs, than by his private conduct; and lest the sons of Tarquin should bear the same resentment against him which the sons of Ancus had entertained against Tarquin, he gave his two daughters in marriage to the two young princes Lucius and Aruns Tarquins: yet human prudence could not prevent the unalterable decrees of fate, nor screen him from the envy attending a crown, which raised against him the blackest treasons and the bitterest enemies within his own house. Very seasonably for the present quiet situation of affairs, war was undertaken against the Veientes, the truce with them being now expired, and the rest of the Etrurians. In this war the bravery as well as good fortune of Tullius appeared to great advantage; for having routed the enemy's numerous army, he returned to Rome, established in his kingdom by the affections both of the senate and people. Thereafter he entered upon a work of peace, of all others the most important; that as Numa had been the founder of religious institutions, posterity might have reason to celebrate Servius as author of the several orders and ranks in the state, whereby the different degrees of dignity and fortune are distinguished from one another. For he appointed the census †, an institution of the greatest service to an empire that was to be so great, by which the

\* Now called Cisternia-Ponina.

† From *censure*, to rate or value.

charges of peace and war were not to be borne equally by every particular person, as in former times, but levied according to the value of their estates. By this census, he divided the people into classes and centuries, a regulation very proper both for peace and war.

**C H A P . X L I I I .** Of those who had an estate of a hundred thousand asses \* or more, he made eighty centuries, forty of aged citizens, and forty of young men. All these were called the first class; and were appointed, the aged to guard the city, and the young to fight abroad. The arms assigned them were a helmet †, a round shield ‡, greaves §, and a coat of mail \*\*, all of brass, for the defence of their body, and a spear †† and a sword ††† to annoy the enemy. To this class were added two centuries of mechanics, who were to serve without arms, and to be employed in carrying the military engines. The second class comprehended all whose

\* 322 l. 18 s. 4 d. *Arbutnott.*

† The galea was a head-piece, or morion, coming down to the shoulders, commonly of brass.

‡ This kind of shield was less than the scutum, and quite round. It belonged more properly to other nations, though for some little time it was used by the Romans.

§ They were worn on the legs, and seem to have been borrowed, as many other customs, from the Grecians, so well known by the title of *εὐχρηματίς Ἀχαιοί*, well booted-Grecians.

\*\* This coat of mail, or brigandine, was generally made of leather, and worked over with little hooks of iron; and sometimes adorned with small scales of thin gold. Sometimes the *loricæ* were a sort of linen caffocks, such as Suetonius attributes to Galba, like that of Alexander and Plutarch, or those of the Spanish troops, described by Polybius, in his account of the battle of Cannæ.

†† It was a light kind of javelin.

††† The Roman soldiers commonly wore their swords on the right side, that it might not hinder their shields; though they are often represented otherwise in ancient monuments. They thought Spanish swords fittest for execution, and of the best shape and temper, they being something like the Turkish scymitars, but more sharp at the point.

estate was from seventy-five \* to an hundred thousand asses, and made up of old and young citizens twenty centuries. To them was assigned an oblong shield † instead of a round one. And, except a coat of mail, their other arms were the same with those of the first class. He appointed the third class to consist of those whose estate amounted to fifty thousand asses ‡; and they were divided into as many centuries, and distinguished, with respect to their age, in the same manner as the former; nor was there any difference in their arms, but that this class had no greaves. The fourth class, consisting of those whose estates extended to twenty-five thousand asses ||, was divided into as many centuries; but their arms were different, this class being only allowed a spear and a long javelin \*\*. In the fifth class, the number of centuries were increased to thirty, armed with slings and stones. Among them were reckoned the *accensi* ††, the

\* 242 l. 3 s. 9 d. *Arbutknot.*

† The scutum was a buckler of wood, the parts whereof were little plates of iron, and the whole covered with a bull's hide. It was surrounded with a plate of iron on the outside to keep off blows, and with another within, to binder it from taking any damage by lying on the ground. In the middle was an iron boss, or *umbo*, jutting out, very serviceable to glance off stones and darts, and sometimes to press violently on the enemy, and drive all before them. The scuta themselves were of two kinds, the *ovata* and *imbricata*. The former of a plain oval figure; the other of an oblong, and bending inward like half a cylinder. Polybius makes the scuta four feet long, and Plutarch calls them *προδίστης, reaching down to the feet*. And it is very probable, that they covered almost the whole body, since our author, book 44. mentions soldiers, who stood on guard sometimes sleeping with their heads laid on their shield, with the other end fixed on the earth.

‡ 161 l. 9 s. 2 d. *Arbutknot.*

|| 80 l. 14 s. 7 d. *Id.*

\*\* The *verutum*, according to Polybius, was a sort of javelin three cubits long. It was square, and pretty much like a spit. Its name is derived from *veru, a spit.*

†† It is uncertain who were comprehended under that name, and what their office was. According to Sextus Pompeius, they were

the blowers on the horn, and the pipers, divided into three centuries. This whole class consisted of those whose estate amounted to eleven thousand asses \*. The sixth comprehended all the poorer citizens, whose estates were below this sum, and of them one century was made up which was exempted from serving in war. Having thus divided and armed the infantry, he levied twelve centuries of knights from among the chief men of the state; and to the three centuries appointed by Romulus, he added other six under the same names, which they received at their first institution. Ten thousand asses † were given them out of the public revenue, for the buying of horses, and widows were assigned them, who paid two thousand asses ‡ yearly for their subsistence. All these burdens were, in a great measure, taken off the poor, and laid on the rich. And that they might bear them the more patiently, an additional honour was conferred upon them: for they did not now vote by poll, according to the institution of Romulus, which his successors had observed; nor were their suffrages of equal weight; but a subordination was established, that none might seem to be excluded from the right of voting, and yet the whole power might reside in the chief men of the city. For the knights were first called, and then the eighty centuries of the first class; and if they happened to differ, which was seldom the case, those of the second were called: and they seldom ever descended so low, as to the last class. Nor need we be surprised, that the

men who were always ready to supply the vacant places in any of the centuries, and were a sort of recruits, consisting of such persons as were ambitious of being incorporated into one or other of the classes. But, according to Varro, the word *auxili* signifies men chosen out to be aid-de-camps to the generals and tribunes, to carry their orders to inferior officers.

\* 35 l. 10 s. 5 d. *Arbutinus.*

† 32 l. 5 s. 10 d. *Idem.*

‡ 6 l. 9 s. 2 d. *Idem.*

present regulation, since the tribes were increased to thirty-five, should not agree with the number of centuries of young and aged citizens instituted by Servius Tullius, they being now double of what they were at that time. For having divided the city into four parts, according to the regions and hills which were then inhabited, he called these divisions tribes, in my opinion, from the tribute which they paid. For he likewise appointed the method of levying taxes, according to the value of estates; nor had these tribes any relation to the number and division of the centuries.

CHAP. XLIV. Having completed the census, which the dread of the law that was made against those who neglected to enrol themselves in the censors books, had forwarded, he published a proclamation, commanding all the citizens of Rome, both horse and foot, under the pain of imprisonment and death, to present themselves in the Campus Martius by break of day, ranged according to their respective centuries; and there, after mustering his whole army, he purified them by a sacrifice of a sow, a sheep, and a bull; and this was called closing the lustrum \*, because then the census was completed. In that survey, eighty thousand Roman citizens are said to have been enrolled. Fabius Pictor, the oldest historian extant, adds, that this was the number of those who were fit to bear arms. To accommodate this great number of people, it was thought necessary to enlarge the

\* *Aluendo*, from *paying*, *expiating*, *clearing*; or perhaps from the goddess *Lua*, so named from the verb *luo*, to whom Servius is said to have built a temple. She was invoked in all expiations, and when people made up their accounts, and paid their debts.

Because of the continual change of mens estates, it was ordered that the census should be renewed every five years; and as it was usually closed by the lustrum, hence this word came to signify that term of years.

city ; and for that purpose he first added the Quirinal \*, and Viminal † hills, and some time after the Esquiline ‡, where he dwelt himself to give reputation to the place. He fortified the city with a rampart, ditches, and a wall quite round it, and by this means enlarged the Pomerium ||. They

\* Collis Quirinalis was so called either from the temple of Quirinus, another name of Romulus ; or more probably from the Curetes, a people that removed hither with Tatius from Cures, a Sabinian city. It afterwards changed its name to Caballus, Mons Caballi, and Caballinus, from the two marble horses, with each a man holding him, which are set up here. They are still standing ; and if the inscription on the pilasters be true, were the work of Phidias and Praxiteles ; made by those famous masters to represent Alexander the Great, and his Bucephalus, and sent to Nero for a present by Tiridates king of Armenia. This hill was added to the city by Num. To the east, it has Mons Esquilinus, and Mons Viminalis ; to the south, the forum of Caesar and Nerva ; to the west, the level part of the city ; to the north, Collis Hortulorum, and the Campus Martius. In compass almost three miles.

† Mens Viminalis derives its name from the osiers that grew there in great plenty. This hill was taken in by Servius Tullius. To the east, it has the Campus Esquilinus ; and to the south, part of the Subura and the Forum ; to the west, Mons Quirinalis ; to the north, the Vallis Quirinalis. In compass two miles and a half.

‡ Mons Esquilinus was anciently called *Cispinus*, and *Oppius* ; the name of Esquilinus was varied, for the easier pronunciation, from *Exequilinus*, a corruption of *Excellitus*, *ab exaltis*, from the watch that Romulus kept here. It was taken in by Servius Tullius, who had here his royal seat. Varro will have the Esquiliae to be properly two mountains ; which opinion has been since approved of by a curious observer. To the east, it has the city-walls ; to the south, the Via Labicana ; to the west, the valley lying between Mons Cælius and Mons Palatinus ; to the north, Collis Viminalis. In compass about four miles.

|| Though the phrase of *Pomerium præscribere* be commonly used in authors, to signify the enlarging of the city ; yet it is certain the city might be enlarged without that ceremony. For Tacitus and Gellius declare no person to have had a right of extending the Pomerium, but such a one as had taken away some part of an enemy's country in war ; whereas it is manifest that several great men, who never obtained that honour, increased the buildings with considerable additions.

It is remarkable, that the same ceremony with which the foundations of their cities were at first laid, they used too in destroying and raising places taken from the enemy ; which we find was begun by the chief commander's turning up some of the walls with a plough.

who

who regard only the composition of the word, will have the Pomœrium to be a space of ground without the walls ; but it is rather a space on each side the wall, which the Etrurians, at building of cities, consecrated by augury, reaching to a certain extent both within and without the wall they intended to raise ; so that the houses might not be joined to it on the inside, as they commonly are now, and also that there might be some space without left unilled. This space, which it was not lawful to till or inhabit, not for its being without the wall, more than for the walls being without it, the Romans called the Pomœrium : and in enlarging the city, as far as the walls were moved farther toward the fields, so far this consecrated ground was likewise extended.

CHAP. XLV. The state being improved, the city enlarged, and every thing in it modelled in the best manner for the purposes of peace and war, that force of arms might not be the only means of acquiring farther degrees of strength, he endeavoured by policy to extend his empire, and at the same time procure respect to the city. The temple of Diana at Ephesus was at that time in high esteem, and was said to have been built at the common charge of all the states of Asia. Servius took occasion to commend exceedingly the agreement of these nations in joint worship of the same gods, before the Latin nobility, with whom, both in public and private, he cultivated a strict friendship and intimacy. By often insisting on the same subject, he at last wrought upon them so far, that the Latins joined with the Romans in building a temple to Diana at Rome. This was plainly acknowledging that city to be their capital, which was a point they had frequently disputed with their swords. But though the Latins appeared now to have lost all

all concern for a matter about which they had so often unsuccessfully employed their arms, fortune seemed to present one of the Sabines with an opportunity of recovering the superiority to his country, by his own address. This man is said to have had a cow calved among his cattle, of surprising size and beauty. Her horns, which were hung up in the porch of the temple of Diana, remained, for many ages, a proof of her enormous bulk. The thing was justly looked upon as a prodigy; and the soothsayers had foretold, that whoever should sacrifice this cow to Diana, should thereby ascertain the empire to his native city. This prediction had also reached the ears of the high priest of Diana. The Sabine, on the first proper day for offering the sacrifice, having driven the cow to Rome, led her to the temple of that goddess, and set her before the altar. The Roman priest struck with the uncommon size of the victim so much celebrated by fame, recollecting the prophecy, thus accosts the Sabine, "What intendest thou to do, stranger?" says he: "wouldst thou with impure hands offer "a sacrifice to Diana? Why dost not thou first "wash thyself in running water? The Tiber runs "in the bottom of the valley." The stranger being seized with a scruple of conscience, and desirous of having every thing done in due form, that the event might answer the prediction, immediately went down into the river. In the mean time the Roman sacrificed the cow to Diana, which gave great satisfaction to the king and to the whole state.

CHAP. XLVI. Though Servius had now been established in the kingdom, by long possession; yet, as he heard that expressions sometimes dropt from young Tarquin, importing, "That he had seized "the crown without the consent of the people," having

having first secured their good-will, by dividing among them the lands taken from their enemies, he ventured to propose to the people, “ If they willed “ and ordered him to reign ! ” and was declared king with such unanimity, as had not been observed in the election of any of his predecessors in the throne. But this was so far from discouraging Tarquin from aspiring to the kingdom, that it only confirmed him the more in his hopes of attaining it ; for besides the impetuosity of his own temper, and the impressions which the daily solicitations of his wife Tullia made upon him, he knew that the division of the lands among the people was contrary to the inclination of the senators ; and therefore thought it would furnish him with a proper handle for accusing Servius to them, as it would at the same time give him an opportunity of raising his own reputation in the senate. In consequence of this a tragical and inhuman act of cruelty was committed in the court of Rome, that the people, being disgusted with kings, might the sooner enjoy the sweets of liberty, and he might be the last king who should by unnatural crimes pave his way to the throne. Whether this Lucius Tarquin was the grandson or nephew of Tarquinius Priscus, is not very certain ; however, with the greatest number of authors, I shall call him his son. His brother Aruns Tarquin was a youth of a gentle disposition ; and the two Tullias, the daughters of king Servius, who were likewise of very different tempers, had been married to these two brothers, as has been already observed. It had happened, that the two violent tempers were not matched together, owing to the good fortune, I believe, of the Roman people, that Servius might reign the longer, to form the morals of the state. Haughty Tullia was extremely vexed that she found in her husband neither the principles of courage

courage nor ambition; and therefore having her thoughts entirely taken up with the other Tarquin, she used to express her admiration of him, to call him a brave man, and truly born of royal blood; to despise her sister, who, though matched with a man of spirit, had not the resolution of a woman. As the wicked are commonly most suited to one another, so a similitude of manners soon produced an intimacy between them; but this aspiring woman was the source of all the confusion that followed. She had been used for a long time to have secret conferences with her brother-in-law, and therein threw out the bitterest reproaches against her husband to his brother, and against her sister to her husband, affirming, "That it were much better for her to be a widow and him unmarried, than to be unequally matched, and under the necessity of living in obscurity by the mean-spiritedness of others. If the gods had given her the husband she deserved, she would soon have seen the sovereign power established in her own family, which she now saw in the hands of her father." By such discourses she soon inspired the young man with all the heat and violence of her own temper. And the death of Aruns Tarquin, and of the younger Tullia, which happened within a few days of one another, having left them at liberty to contract a new alliance, a match was soon made up between them, rather without opposition from Servius, than with his consent.

CHAP. XLVII. From this time Servius's old age became every day more uneasy, and his reign more grievous to him. For Tullia, immediately after the commission of one crime, began to contrive another, and suffered her husband to rest neither day nor night, lest through his inactivity the

the unnatural murders they had already committed should lose their effect. " That she had not wanted " a man merely to be called her husband, nor one " to live with her in obscure bondage; what she " wanted, was one who should think himself worthy " of a crown, who should remember that he was " the son of Tarquinius Priscus, and chuse rather " to have, than hope for a kingdom. If you are " the man whom I thought I married, I must call " you both husband and king; but if not, I have " changed for the worse; because now I have to " do not only with a coward, but also a murderer. " Why do you not rouse yourself? You have no " need, as your father did, to travel from Corinth " or Tarquinii in quest of a foreign kingdom. " Your household gods, the gods of your coun- " try, your father's statue, the palace where you " dwell, the regal throne in that palace, and the " surname of Tarquin, create and call you king. " But if you have not courage to improve those " advantages, why do you disappoint the expec- " tations of the city, or suffer yourself to be look- " ed upon as a king's son? Get you hence to Tar- " quinii or Corinth; and seeing you resemble your " brother more than your father, sink into the " former obscurity of your family." By such re- proaches she inflamed the prince's mind: nor could she be at rest herself: she could not bear that Tar- naquil, who was a stranger, should have the address to dispose of the kingdom twice successively, first to her husband, and afterward to her son-in-law; and that she, who was the daughter of a king, should have no weight in giving or taking away the crown. Tarquin, incited by this furious woman, went about among the senatores minorum gentium, making his court to them. He put them in mind of the favours they had received from his father, and demanded suitable returns. The young men

men he engaged to his interest by large presents, promising mighty matters from his own administration, and in all places vented the most bitter invectives against the king. At last, when he thought he had found a proper opportunity for executing his design, surrounded with a band of armed men, he forced his way into the Forum; and whilst all present were struck with sudden terror, placing himself on the royal throne in the senate-house, ordered the public crier to summon the senators to attend King Tarquin. Some were beforehand prepared for this event; others, astonished at the surprising revolution, giving Servius up for lost, and fearing that their absence might be made a crime, immediately repaired to the house. There Tarquin beginning his invectives with the obscurity of his family, " That a slave and the son of a slave, after the barbarous murder of his father, had possessed himself of the kingdom, not after an interregnum, according to ancient custom, not after holding the comitia, nor by the votes of the people, or confirmation of the senate, but merely by the intrigues of a woman. That thus born and thus created king, he had always favoured the meanest wretches, like himself; and, out of hatred to others on account of their noble birth, had taken lands from the nobility, and distributed them to the most abject of the people. All the burdens which were formerly borne in common, he had laid on the principal citizens, and had instituted the census, that the fortunes of the rich being visible might expose them to envy, and that he might have them ready, when he pleased, to bestow upon beggars."

CHAP. XLVIII. Servius, alarmed by the accounts of what passed, which were brought him in great haste, came in, while his rival was speaking,

ing, and immediately called to him with a loud voice from the porch of the senate-house, “ What’s “ the matter, Tarquin ? How durst you be so “ audacious as to convene the senators, or sit on “ my throne whilst I am alive ? ” As the other haughtily replied, “ That he had taken possession “ of his father’s throne : That it was much more “ proper his son should inherit his kingdom than “ his slave, who had already too long licentiously “ insulted his masters ; ” the partisans on both sides raised a shout, the people crowded into the senate-house, and it appeared, that whoever should get the better in this struggle, would be king. Then Tarquin, now under a necessity of coming to extremities, having much the advantage in youth and strength, seized Servius by the waist, and carrying him out of the senate-house, threw him from the top to the bottom of the stairs, and then returned to hold the senate. The king’s officers and attendants fled. He himself quite faint was returning home, with a few guards half dead with fear ; and had got to the top of the Cyprian street \*, when he was overtaken and slain by those whom Tarquin had sent in pursuit of him. As this is not inconsistent with Tullia’s other crimes, it is believed to have been done by her advice ; it is very certain, that she drove in her chariot to the Forum, and, without regarding the number of men that were there, called her husband out of the senate-house, and was the first who saluted him king. And when, upon his ordering her to retire out of so great a crowd, she was returning home, and had reached the upper end of the Cyprian street, where a temple of Diana lately stood, as the coachman was turning the

\* According to Varro, the word *Cyprius* signified, in the old Sabinian language, *good* or *happy*.

chariot to the right hand towards the Virbian ascent, which was his way to the Esquiline hill, he stopt short in a great fright, checked his horses, and shewed his lady Servius lying murdered in the street. Upon this a shocking and inhuman action is reported to have ensued, and as a monument of it the name *Vicus Sceleratus* \* was given to this place, in which Tullia, hurried on in a distracted manner by the furies of her sister and former husband, is said to have driven her chariot over the dead body of her father; and being herself stained and bespattered by the bloody chariot, carried home part of her father's blood to her own tutelary gods, and those of her husband; that, by their just indignation, their reign might soon have an end suited to its wicked beginning. Servius Tullius reigned forty-four years in such manner, that his successor, had he been a good and reasonable prince, would have found it a difficult matter to equal him. And this likewise gives an additional lustre to his reign, that all just and lawful exercise of regal power fell with him. Some authors assert, that he intended to have resigned his government, however mild and gentle, because it was entirely lodged in the hands of a single person, had he not been cut off by the unnatural cruelty of his own family, while his thoughts were employed about the means of making his country entirely free.

CHAP. XLIX. At this period begun the reign of Tarquin, whose actions procured him the surname of the Proud; for he would not suffer his father-in-law to be buried, alledging, for an excuse, that even Romulus died without that honour. He put to death the principal senators, be-

\* The cursed street,

cause

cause he suspected them to have been in the interest of Servius ; and as he was conscious of the wicked means he had used to raise himself to the throne, that the precedent he had set might not be improved against himself, he kept a strong guard of armed men always about his person. Nor indeed had he any better title to the crown than force and violence could give him ; for he was neither advanced to it by the suffrages of the people, nor confirmed in it by the senators. Besides, as he had not hopes of gaining the affections of the citizens, he had no means of securing his kingdom but motives of fear ; and that these might have the more general influence, he reserved to himself alone, without the advice or assistance of any assessors, the cognisance of all capital crimes ; that so he might have it in his power to put to death, banish, and confiscate the goods, not only of those whom he hated or suspected, but also where he had no prospect but of enriching himself with the spoils of the sufferers. Having chiefly, by these means, very much lessened the number of the senators, he resolved to chuse none in their room, that the order might fall into contempt by the smallness of their number, and they might take it less amiss that nothing was transacted by their means. For he was the first who broke through the custom observed by preceding kings, of consulting the senate in all matters ; he managed all the affairs of state by domestic counsels, making peace and war of himself, entering into treaties and alliances with whatever states he had a mind, without the consent of the senate or people, and breaking them without their advice. He was at great pains to secure to himself the friendship of the Latin state, that by means of this foreign alliance his safety among his own subjects might be less precarious ; nor did he

only cultivate friendship with their nobility, but also entered into family-alliances with them. He gave his daughter in marriage to Mamilius Tufclanus, who was by far the most considerable man of the Latin name, descended, if we will believe the story, of Ulysses and the goddess Circe; and by that marriage he secured to himself the interest of the numerous relations and friends of that Latin prince.

CHAP. L. Tarquin, having now considerable weight among the Latin chiefs, appointed them to meet him on a certain day at the grove of Ferentinum \*, pretending that he wanted to treat with them about some matters relating to their common safety. Great numbers of them came to the place by break of day; but Tarquin himself, though he kept the day appointed, yet came not to the meeting till a little before sun-set. During the whole day, many things were thrown out, in different speeches, at that meeting: Turnus Herdonius, a native of Aricia †, bitterly inveighing against Tarquin for his absence, “ It was no wonder he had the surname of Proud given him at Rome:” for he was commonly called by this name, though secretly and by whi-

\* It was in Latium, near Monte Albano, in the same place where Marino now stands, a little town in the ecclesiastical state. The ruins of several ancient monuments testify its former grandeur. At this place, after the demolition of Alba, the Latins held their general diets, when they were to deliberate on the interests of their nation. Here stood a temple of Flora, in a grove. It was watered by a rivulet, which gave Ferentinum the name of *caput aquæ Ferentiae*.

† This town lay ten miles from Rome, and received this name from Aricia wife of Hippolytus, son of Theseus and Hippolyte, queen of the Amazons, who, to shun his father's indignation, raised against him by his stepmother Phædra, because he would not lie with her, came and settled in Italy, and built this city, which is now called Rizzo or Riccia.

spers. "Can there be a greater instance of pride,  
 " than thus to trifle with all the Latin name;  
 " to summon a number of princes to come hither  
 " from distant places; and he who had appointed  
 " the meeting not to attend? It was plain he did  
 " it to try their patience, that if they should once  
 " submit to the yoke, he might oppress them,  
 " when they had put it out of their power to help  
 " themselves. For who could miss to observe, that  
 " he aspired to a despotic power over the Latins?  
 " which if his own subjects had wisely intrusted  
 " to him, or if it was true that they had trusted  
 " him with it, and he had not seized it by the  
 " unnatural murder of his nearest relations, the  
 " Latins might repose the same confidence in  
 " him; though even upon that supposition, be-  
 " ing a distinct people, they were under no obli-  
 " gation to do it. But if he gave his own coun-  
 " trymen reason to repent of what they had done  
 " for him, by putting them to death, sending  
 " them into banishment, and stripping them of  
 " their estates, what ground had the Latins to  
 " expect better usage? If they would be per-  
 " suaded by him, they should return to their  
 " own houses, and take no more notice of the as-  
 " sembly designed to be held that day, than he  
 " who had made the appointment." As Tur-  
 " nus, a seditious and enterprising man, and who  
 had by these arts amassed great wealth in his own  
 country, was throwing out these and the like in-  
 " vectives with great warmth, Tarquin came in:  
 this put an end to the speech. They all turned  
 to pay their compliments to Tarquin, who,  
 when silence was made, being put in mind by  
 those who were next him to make an excuse for his  
 coming so late, "A difference," he said, "between  
 " a father and his son had been submitted to his  
 " arbitration, and that his concern for bringing

" about a reconciliation between them had detained him so long. And as that affair had taken up that day, he would lay before them to-morrow the reason of his calling them together." Turnus, it is said, did not suffer even this to pass without censure ; alledging, that no difference was sooner composed, than that between a father and son, and that very few words were requisite in such a case. If he would not submit to his father, he was to be held as a worthless fellow.

CHAP. LI. The Arician having thus expressed himself to the Roman king, with a discontented air, left the meeting ; which Tarquin resenting more than he seemed to do, immediately contrives the ruin of Turnus, that he might impress the Latins with the same terrors by which he overawed the minds of his own subjects ; and because he had no authority to put him to death openly, he cut off this innocent man by bringing a false accusation against him. By means of some Aricians, engaged in a party opposite to that of Turnus, he bribed his slave to suffer a great number of swords to be secretly conveyed into his master's tent. Tarquin, having completed the whole scheme in one night, sent for the Latin chiefs a little before day-break, and, as if alarmed with some extraordinary discovery, " His absence yesterday," he said, " had been ordered by the particular providence of the gods for their safety as well as his own ; that Turnus," he was told, " had conspired his death, and that of the principal men of the Latins, that he alone might have the supreme power over the nation. That he intended to have executed his plot yesterday at the assembly, which he only delayed because the person who appointed it, and whom he principally

" principally wanted to make sure of, was not present. This was the reason why he had so bitterly inveighed against him in his absence, that very absence having disappointed his hopes. If his information was just, he did not doubt but at break of day, when the assembly met, he would come in arms with a band of conspirators. He was likewise informed, that a great number of swords had been secretly conveyed to him ; and as it was easy to find out whether there was any ground for this report, he earnestly intreated them to go along with him to Turnus." The ambition of Turnus, his speech the day before, and Tarquin's delay, because it seemed to have occasioned his delaying the intended massacre, made the thing look suspicious. They went with some disposition to believe what Tarquin had said ; yet if the swords were not found, to look upon all the rest as a forgery. When they came to the place, having awaked Turnus, set a guard upon him, and seized his slaves, who, out of affection to their master, began to make resistance ; the swords, which were brought out of all parts of the tent, where they had been hid, putting the matter beyond all dispute, Turnus was put in chains, and immediately an assembly of the Latins called in great haste, where the swords, which were produced in court, so exasperated them against him, that, without suffering him to make his defence, he was condemned to a new kind of death : being thrown in at the head of the spring of Ferentinum, with a hurdle laid upon him, and stones heaped upon it, he was drowned.

C H A P. LII. Then Tarquin having recalled the Latins to the assembly, after commanding them for the just punishment they had inflicted upon Turnus, in consequence of the clearest proofs

proofs of his having conspired an unnatural parricide, as a means to bring about a revolution in the state, spoke to this purpose, viz. "That he could plead an ancient right, seeing the Latins came originally from Alba, and were comprehended in that treaty, whereby the whole Alban state, with its colonies, had submitted to the Roman government in the reign of Tullus. But he thought it would be more for the common interest of the parties concerned, to have that treaty renewed, and that the Latins should rather share the good fortune of the Romans, than always either be dreading or suffering the facking of their towns, and ravaging of their lands, as they had experienced in the reign of Ancus, and in that of Tarquinius Priscus his own father." Though the Romans were evidently the greatest gainers by that treaty, the Latins were easily persuaded, because they saw the Latin chiefs sided with the king, and were disposed to comply with his proposals. And Turnus was a recent instance of the danger every man would expose himself to, who should dare to oppose him. Thus the treaty was renewed, and a proclamation issued out, commanding the Latin youth, in consequence of this treaty, to rendezvous on a certain day at the grove of Ferentinum. When those of all the different nations were come to the place appointed, according to Tarquin's proclamation, that they might not have a leader of their own, a separate command, or ensigns peculiar to themselves, he blended the Romans and Latins together in every company \*, making one of two, and two

\* A company consisted originally of an hundred, afterwards of two hundred, and in the decline of the empire of less than an hundred men. The ensigns of Romulus's men, when he attacked Aemilius, are said to have been bundles of hay fastened to poles, which

two of one\*. Having thus doubled the number of companies, he appointed centurions † to command them.

**CHAP. LIII.** Nor was Tarquin, though a tyrannical prince in time of peace, a despicable general in war; nay he would have been thought equal to his predecessors in that art, had not his degeneracy in other respects likewise obscured this bright part of his character. He began the war against the Volsci, which lasted above two hundred years after his time, and took from them Suesia Pometia by storm; and having received, at the auction of the plunder, forty talents ‡ of gold and silver, he formed an idea of the largeness of the temple of Jupiter, as should be worthy of the king of gods

which the Latins at that time called *manipuli*, and thence came the name of *maniples*, which was originally given to troops raised in the country.

\* In the earliest times of Rome none but Romans could be incorporated in the legions. But Tarquin was too odious to his subjects to observe that ancient custom. He did not raise his army upon the footing of Servius's division of the Roman soldiery by centuries; nor were the allies any longer a separate corps. For at this general rendezvous he incorporated the Latins and Romans in the same centuries, which were thereby composed half of one nation and half of the other, and appointed such centurions over them as he thought proper. This was a masterpiece of policy, and contributed more to the conquest of the world, than all the rest of Italy; for it was afterwards the best part of the Roman strength.

† So called from *centum*, because he had the command of an hundred, or rather an hundred and ten men, the ten *decurios* included, each of which commanded ten men. The number of centurions in the Roman legion was always in proportion to the number of centuries of which it consisted. The *centurio primi pilorum* was a man of authority and distinction among them: he was always at the head of the first cohort, and commanded four centuries. The other centurions received their orders from him.

‡ Pighius, in order to reconcile the difference between Dionys. Hal. and our author, changed the text of Livy, from *quadragesita* talents to *quadringenta*. Forty talents, reckoning according to Arbuthnot, amount to 7750 £ Sterling, and four hundred amount to 77,500 £

and

and men, the Roman empire, and the majesty of the place where it was to be erected ; the money he had got for the spoils of the Volsci was set apart to defray the expense of it. After this he was engaged in a war, which lasted longer than he expected : for having attempted to take Gabii \*, a city in his neighbourhood, and being repulsed with such loss, as left him no hopes of taking it by siege, he at last endeavoured to reduce it by fraud and stratagem, arts little practised by the Romans. For while he pretended to have laid aside all thoughts of war, and to be entirely employed in laying the foundation of the temple of Jupiter †, and other public works in the city, Sextus, the youngest of his three sons, according to concert, fled to Gabii, complaining of the inhuman cruelty of his father : “ That he had now turned his tyranny from others against his own

\* A town of Latium, belonging to the Volsci, about an hundred furlongs from Rome, in the way to Praeneste, in the place where the town of Colonna afterwards stood.

† The temple was almost square, being about two hundred and fifteen feet long, and about two hundred feet broad. Its front was to the south, facing Mount Palatine and the Roman Forum. The ascent to it was by an hundred steps, which were divided at certain distances, by large half-paces or resting-places, to give those who went up to it time to breathe. The front was adorned with three rows of pillars, and the two sides of the temple were adorned with a *peristyle*, consisting of a double row of pillars. The prodigious gifts and ornaments with which it was afterwards adorned are almost incredible. It was first consumed by fire in the civil war between Marius and Sylla, the latter of whom rebuilt it ; but dying before the dedication, left that honour to Q. Catulus. It was burnt down a second time in the Vitellian sedition. Vespasian undertook a third temple, which was destroyed about the time of his death. Domitian's son built the last, which was by far the most magnificent of all ; the gilding of which, within and without, Plutarch says, amounted to twelve thousand talents, or three hundred and twenty-five thousand pounds Sterling. It contained three chapels, one dedicated to Jupiter, another to Juno, and the third to Minerva, or was rather three temples under the same roof. There only remains enough of it at present to make a Christian church.

“ family,

“ family, and was uneasy that his children were  
“ so numerous, intending to make the same ha-  
“ vock in his own house which he had made in  
“ the senate, that so he might leave behind him  
“ no issue, nor heir to his kingdom. That, for  
“ his own part, as he had escaped from amidst  
“ the swords of his father, and other instru-  
“ ments of death, he was persuaded he could  
“ find no safety but among the enemies of L.  
“ Tarquin. For, that they might not be decei-  
“ ved, the war against them, which was pretended  
“ to be laid aside, was only suspended till their  
“ security should present him with a fit opportu-  
“ nity of attacking them anew. If there was no  
“ place among them for the miserable, he would  
“ wander over all Latium; and if he could find  
“ no shelter there, he would have recourse to  
“ the Volsci, Æqui, and Hernici \*, one after  
“ another, till he should find a people who knew  
“ how to protect children from the cruel and un-  
“ natural persecutions of their parents. That  
“ perhaps he would find some of these people  
“ disposed likewise to take up arms and wage war  
“ against this proud king and his haughty sub-  
“ jects.” As the Gabini saw that he was like to  
depart full of resentment, if they shewed no regard  
to his complaints, they entertained him with great  
marks of favour: “ He ought not to be surpri-  
“ sed,” they told him, “ if his father at last  
“ treated his children in the same inhuman and  
“ oppressive manner, as he had done his subjects  
“ and allies; for if all other objects should fail,  
“ he wou'd, in the end, wreak his cruelty upon  
“ himself. That his application to them for  
“ protection gave them great pleasure, and they  
“ doubted not of being able in a short time, by

\* They inhabited a part of the present Campagna di Roma.

“ his

" his assistance, to carry the war from the gates  
" of Gabii to the very walls of Rome."

CHAP. LIV. Upon this they admitted him into the public council of state, where, though, with regard to other matters, he professed to submit to the judgment of the old inhabitants, who understood them better, yet he took frequent opportunities to advise them to renew the war; in relation to which he pretended to a superior knowledge, because he was well acquainted with the strength of both nations, and knew, for a certain truth, that the pride of the Roman king, which made him intolerable even to his children, exposed him also to the hatred and aversion of his subjects. As he thus by degrees stirred up the nobles of the Gabini to renew the war, he went himself with the most active of their youth to plunder the Roman lands, and to make inroads into their territories; and by all his words and actions, framed to promote the cheat, so far gained their confidence, that at last he is chosen general to prosecute the war. After his advancement, the people being still ignorant of the springs of his actions, he had several skirmishes with the Romans, wherein the Gabini generally came off with the advantage: upon which all of them, from the highest to the lowest, were firmly persuaded, that the gods, as a particular instance of their favour, had sent them Tarquin to be their general. His readiness in exposing himself to the fatigues and dangers of war, and his generosity in dividing the plunder, so recommended him to the affection of the soldiers, that Tarquin the father had not greater power at Rome, than the son had at Gabii. When he thought he had got strength sufficient to support him in any undertaking, he sent one of his confidants to Rome to ask his father what he should do,

do, seeing the gods had granted him the sole management of all affairs at Gabii. The king gave no answer by word of mouth to his courier, because, I suppose, he suspected his fidelity; but going into a garden adjoining to the palace, as it were to consider of the matter, followed by his son's messenger, he is said to have walked there for some time in silence, and to have struck off the heads of the tallest poppies with his staff. The messenger, wearied with demanding and waiting for an answer, returned to Gabii as if he had lost his labour, and told what he had said himself, and what he had observed; adding, “That Tarquin, “either through passion, aversion to him, or his “innate pride, had not spoke a word.” As soon as Sextus understood, by these dark hints, the inclination and orders of his father, he put to death the most eminent men of the city, accusing some of them to the people, and others exposing themselves to his revenge by envying his greatness. Many were executed publicly, and some, against whom no specious pretext of accusation could be found, were secretly assassinated. Some were allowed to escape, and others banished, and their estates, as well as the estates of those who were put to death, distributed among the people. The sweets of plunder and private advantage resulting from these distributions, extinguished in them the sense of the public calamities, till the state of Gabii, destitute of counsel and assistance, was delivered into the hands of the Roman king without the least resistance.

CHAP. LV. Tarquin thus put in possession of Gabii, made peace with the *Æqui*, and renewed the treaty with the Etrurians. Then he turned his thoughts to the business of the city. The chief whereof was that of building the temple of Jupiter

on the Tarpeian mount, which he intended to leave as a monument of his name and reign ; since posterity would remember, that of the two kings of the Tarquin family, the father had vowed, and the son had finished that stately fabric. And that the area, freed from all worship of the other gods, might be entirely appropriated to Jupiter, and his temple, which was to be erected upon it, he resolved to unhallow several small temples and chapels, which had been vowed by Tatius in the heat of the battle he had fought with Romulus, and which he afterwards consecrated and dedicated. In the very beginning of this work it is said, that the gods exerted their divinity to presage the future greatness of this empire ; for though the birds declared for the unhallowing of all the other temples, they did not admit of it with respect to that of Terminus. This omen and augury was thus explained, that Terminus's not changing his residence, and being the only one of the gods who was not called out of the places devoted to their worship, thereby presaged the duration and stability of their empire. This being understood as an omen of the perpetuity of the empire, there followed another portending its greatness. It is reported, that the head of a man, with the face entire, appeared to the workmen, as they were opening the ground for the foundation. This sight clearly presaged that this temple should be the head of the empire, and of the world. Both the Roman soothsayers, and those of Etruria, who were sent for to be consulted upon it, were of this opinion. This encouraged the king to spare no expense : so that the spoils of Pometia, which had been computed to be sufficient to complete the work, scarce defrayed the expenses of laying the foundation. For this reason I am the more inclined to believe Fabius Piator, besides his being

being the more ancient historian, that the plunder of this city amounted only to forty talents, than Piso, who says, that forty thousand pound weight of silver was set apart for that purpose; a greater sum than could be expected to arise from the pil-lage of any one city at that time in the world, and more than sufficient for laying the foundation of any fabric, even of these magnificent works in our days.

C H A P. LVI. Tarquin intent upon finishing this temple, having sent for tradesmen from all parts of Etruria, he not only made use of the public money, but also of the work of the people. Though this was no small additional hardship to their military service, they did not much resent this, as they thought it honourable to have a share in building the temples of the gods with their own hands. This drudgery was afterwards changed upon them into more laborious and less honourable works, such as making galleries in the circus, and digging under ground a very large common sewer to carry off the filth of the city; two works so great, that even the magnificence of the present age hath not been able to equal them. While the people were engaged in these labours, because he thought greater numbers of inhabitants than could be employed, were rather a burden than an advantage to the city; and also because he wanted that the frontier-places of his dominions should be better inhabited, he sent \* colonies

\* The reasons which determined the Romans to send out colonies, and the privileges which they enjoyed, were these. They never sent out their citizens to found colonies, but either to en-large their limits, or to awe some nations that were yet unsubdued, or to disburthen their city of too great a number of inhabitants, or to get rid of a multitude inclined to be seditious, or to reward the veteran soldiers of the Roman legions, who had served out their legal

Ionies to Signia \* and Circeii †; a defence to the city, in after-times, both by sea and land. While he was thus employed, a frightful prodigy was seen. A serpent coming out of a wooden pillar, after spreading terror, and making all who saw it run to the palace, did not strike the king with such a sudden dread, as it filled his breast with perplexing thoughts. And therefore, though about prodigies which concerned the public the Etrurian diviners only were applied to, yet being exceedingly alarmed at this sight, as it seemed to respect his own family, he resolved to send to the oracle at Delphi ‡, which was the most famous in the world. And not daring to trust the response to any other, he sent two of his sons into Greece through tracts of land then unknown, and still more unknown

legal time; that, after spending the vigour of their life in the service of their country, they might be rewarded with large possessions, and thereby be enabled to pass the remainder of their life in ease and plenty. To those who were sent from Rome, a certain quantity of land was always assigned, according to their number, in the place where they were to settle, which was to be their own property. They generally transplanted none, but such as had neither land nor houses either in the city or country. They marched to their new habitation in order of battle, where they either built themselves a city, or took possession of one already built for them. Here they lived according to the Roman laws, and though mingled with the natives who had been left in the conquered place, had all the power and authority in their hands. But immediately upon their being sent out, they lost their right of voting in the comitia. Nor could they be candidates for any office at Rome, unless they were again made citizens.

\* A city in Latium. Here there was made a rough kind of wine, which Pliny, Strabo, &c. say was prescribed as an excellent remedy in all kinds of fevers.

† A promontory on the shore of the Tyrrhene sea; now *Monte Circello*, where the famous Circe is said to have had her palace.

‡ A city of Phocis in Greece situated on the hill Parnassus, famous for the oracle of Apollo, which the Greeks, and even the most distant nations, consulted on all important occasions. Our author, b. 38. calls it the naval of the world. This, they say, was found out by Jupiter's sending out two eagles, to fly the one from the east, and the other from the west, who met at this place. It is now called *Delfo, Sabona, and Cafiri*.

seas.

seas. Titus and Aruns were the two who went. They were attended by L. Junius Brutus the-son of Tarquinia sister to the king, a youth of a turn of mind quite different from that under which he thought fit to disguise himself. Brutus hearing that the chief men of the city, and among others his own brother, had been put to death by his uncle, resolved to retain nothing of his fortune that might be a temptation to the king's covetous temper, nor the appearance of any abilities of mind which could alarm his fears, and thus to seek security in contempt, where integrity and justice could afford him no protection. Therefore designedly counterfeiting the carriage and actions of a fool, he suffered himself and his whole estate to become a prey to the king, and did not refuse to take even the surname of Brutus ; that his great capacity, which was to deliver the Roman people, lying for some time concealed under this title of reproach, might wait for a proper season to discover itself. When the sons of Tarquin carried him with them to Delphi, rather to make them sport than as a companion, it is said he took with him, as a present to Apollo, a rod of gold inclosed in a staff of cornel-wood hollowed for the purpose, which was at the same time a true emblem of his own genius. After the young princes had arrived there, and executed their father's orders, their curiosity prompted them to inquire of the oracle which of them should succeed him in the kingdom. Upon which it was reported, that this answer was returned from the bottom of the cave, “Whoever of you, O young men, shall first give a kiss to his mother, shall have the sovereignty of Rome.” The sons of Tarquin, that their brother Sextus, who was left at home, and knew nothing of this response, might have no share in the kingdom, commanded that all possible care should

be taken to conceal it, and cast lots to determine which of them two, when they returned to Rome, should first kiss his mother Tullia. But Brutus, imagining that the oracle had another meaning, pretended to fall down by chance, and kissed the earth, because she is the common mother of all mankind. After this they all returned to Rome, where they found great preparations making for a war against the Rutuli.

CHAP. LVII. This people, who were very wealthy, considering the country and age they lived in, were at that time in possession of Ardea. Their riches gave occasion to the war: for the king of the Romans, having exhausted his treasure by the magnificence of his public works, was contriving means to enrich himself, and by a large booty to sooth the minds of his subjects, who, besides the provocation they had received by other instances of his tyranny, resented their being so long kept employed in serving the mechanics and other drudgery. He had first attempted to take Ardea by storm; but that not succeeding, he began to distress the enemy by blockading the place, and raising works against it. As it commonly happens in standing camps, where the war is rather tedious than violent, they obtained furloughs without any difficulty, though this was a favour more readily granted to officers than common soldiers. The young princes sometimes spent their leisure-hours in feasting and entertaining one another. One day as they were drinking in the tent of Sextus Tarquin, where Collatinus Tarquinius the son of Egerius had been invited to supper, the conversation happened to turn on the merit of wives. Every one commended his own in an extravagant manner, till a dispute arising about it, Collatinus told them, "There was no occasion  
" for

" for words, because they might in a few hours  
" satisfy themselves, how far his Lucretia excel-  
" led all the rest. If then," added he, " we have  
" any share of the vigour of youth, let us mount  
" our horses, and examine the conduct of our  
" wives: and let every one form his judgment  
" from what he shall observe about them, when  
" they have no expectation of a visit from their  
" husbands." As their blood was heated with  
wine, they immediately galloped to Rome, where  
they arrived in the dusk of the evening. From  
thence they went to Collatia, and found Lucretia,  
not like the king's daughters-in-law, whom they  
had found, in company with the ladies of the same  
rank, spending their time in feasting and diver-  
sions; but, though the night was far spent, amidst  
her maids, and with them diligently employed in  
working wool by candle-light. Upon this the  
controversy concerning the ladies was determined  
in favour of Lucretia, who at their coming recei-  
ved them with great civility; and her husband,  
fond of his victory, invited the young princes to  
a friendly repast. There Sextus Tarquinius first  
conceived his villainous design of ravishing Lucre-  
tia. Both her beauty and celebrated chastity in-  
cited him. However, for this time, leaving their  
youthful frolic in which they had spent a great  
part of the night, they all returned to the camp.

CHAP. LVIII. A few days after, without ac-  
quainting Collatinus, Sextus came to Collatia at-  
tended by one slave only. As his designs were  
unknown, he was received with great marks of  
friendship, and after supper conducted to his a-  
partment. Inflamed with desire, when he found  
every thing quiet about him, and thought the  
whole family at rest, he came to Lucretia as she  
lay fast asleep with his sword drawn, and laying  
*his*

his left hand on her breast, “ Be silent, Lucretia,” says he; “ I am Sextus Tarquinius. I have a sword in my hand; you shall die if you speak a word.” As she waked in a great fright, seeing death impending, and no help near, he declared his passion, and begged her to yield to his desires, mixing threats with his intreaties, and using all sorts of arguments to shake her resolution. Finding her inflexible, and that even the fears of death could have no influence upon her, to fear he added infamy; for he threatened, that he would kill a slave, and lay him by her when she was dead, that it might be said she was slain in infamous adultery. When by the dread of this disgrace he as effectually overcame her obstinate virtue, as if lust had prompted her to yield, and had left the place, proud of his conquest of the lady’s honour; Lucretia, distressed with the thoughts of so insupportable a misfortune, dispatched the same messenger to her father at Rome, and to her husband at Ardea, desiring they would come to her, and bring each a faithful friend with him; that this must be done with all expedition, because a shocking affair had happened. Spurius Lucretius brought with him Publius Valerius the son of Volesus; and Collatinus brought Lucius Junius Brutus, in company with whom he happened to be returning to Rome when he met with his wife’s messenger. They found Lucretia sitting quite disconsolate in her chamber. Upon the arrival of her relations, tears streamed from her eyes; and when her husband asked, “ whether all was well?” “ By no means,” said she, “ for what can be well with a woman who has lost her honour? Another, Collatinus, hath defiled your bed. But after all, though my body is polluted, my soul is innocent; of this my death shall attest the truth: but give me your

" your right hands and solemn promise, that the adulterer shall not go unpunished. Sextus Tarquinus is the person I mean, who, coming hither last night with the air of a friend, but the heart of an enemy, by force and arms hath extorted a short-lived pleasure, fatal to me, and to himself too if ye are men of resolution and spirit." All of them gave her their promise, one after another; and endeavoured to comfort her disconsolate mind, by acquitting her of the guilt because she had been forced, and laying the whole blame upon the author and contriver of the crime, by telling her, it was the mind that sinned, not the body ; that where the consent was wanting, there was no guilt. " I leave you," said she, " to consider what is due to him; for my own part, though I do not charge myself with the crime, yet I do not exempt myself from the punishment; nor shall any woman hereafter survive her honour, and plead the example of Lucretia." With that she plunged into her heart a knife which she had kept concealed under her cloaths, and stooping forwards fell down in the agonies of death. The husband and father cried out.

CHAP. LIX. While they were employed in lamenting her fate, Brutus pulling the knife out of the wound, and holding it up before him as the blood dropt from it, " I swear by this blood," says he, " which was most pure, before it was polluted by royal villany, and I call you, O gods, to witness my oath, that I shall pursue Lucius Tarquin the Proud, his wicked wife, and all their race, with fire, sword, and all other means in my power; nor shall I ever suffer them or any other to reign at Rome." Then he gave the knife to Collatinus, and after him to Lucretius and Valerius, who were

were surprised at the extraordinary wisdom they observed in Brutus. However, they all took the oath as they were bid, and converting their sorrow into rage, committed themselves to the conduct of Brutus, who from that time ceased not to solicit them to join in abolishing the regal power. They carried Lucretia's body from her own house, and exposed it in the Forum; and having, by the extraordinary and moving nature of the spectacle, brought great numbers together, as usually happens in such cases, every one from his own experience made bitter complaints of the tyranny and oppression of the royal family. But what principally moved the people was, the father's tears on the one hand, and on the other the conduct of Brutus, who, blaming their vain lamentations and fruitless complaints, advised them, as became men and Romans, to take up arms against those who had dared to treat them in such an hostile manner. The most resolute of the youth, putting themselves in arms, voluntarily offered their service. The rest soon after followed their example. Upon this, leaving a sufficient guard at the gates of Collatia, and placing sentries, that none might escape or get out to acquaint the royal family with this insurrection, they marched in arms to Rome under the conduct of Brutus. When they arrived there, this armed body spread terror and confusion where-ever it went; but when the people considered that the chief men in the state were at the head of it, they thought that whatever the matter might be, it could be no rash or unadvised attempt. Nor indeed did this barbarous action occasion less commotion at Rome than it had done at Collatia. The people from all corners of the city ran into the Forum; and as soon as they were convened there, the public crier summoned them to attend the tribune of the celeres, with which honourable

honourable office Brutus happened to be at that time vested. There he harangued the assembly in a manner quite different from that degree of understanding and turn of mind he had till then counterfeited, inveighing against "the violence " and brutal passion of Sextus Tarquinus; the "infamous rape and deplorable death of Lucre-  
tia; upon Tricipitinus's loss of his daughter, "especially as the occasion of her death more " grievously afflicted and distressed him, than her "death itself. Then he took notice of the king's "haughtiness, the miseries and servile labours of "the people, oppressed with digging ditches, and "drawing common sewers; and that the Ro-  
mans, who had conquered all the nations round "about them, instead of cultivating the arts of "war, were now become masons and common "mechanics." The barbarous murder of Ser-  
vius Tullius, and the daughter's driving, in an inhuman manner, her chariot over the dead body of her father, were likewise mentioned; and the gods invoked, whose province it is to avenge the injuries done to parents by their unnatural children. By a lively representation of these grievances, and, I believe, of others yet more shocking, suggested by the calamity of these times, which it is not easy for a modern historian either to come to the knowledge of, or relate to others, he prevailed on the enraged multitude to depose their king from the exercise of his authority, and to pass an act of banishment against Lucius Tarquin, his wife and family. Having levied and armed a body of young men, who cheerfully listed themselves, he marched himself at their head to the camp at Ardea, to persuade the army to rise against the king, leaving the government of the city to Lucretius, who had formerly been made  
prefect

prefect \* of it by the king. During this uproar Tullia fled out of the palace, both sexes where-ever she went loading her with curses and imprecations, and calling upon the furies of her parents to pursue her.

CHAP. LX. When accounts of these transactions were brought to the camp, and the king, alarmed at this sudden revolution, was going to Rome to quell the commotions there, Brutus, who had intelligence of his coming, turned out of the way, that he might not meet him ; and much about the same time Brutus and Tarquin arrived by different routes, the one at Ardea, and the other at Rome. Tarquin found the gates shut, and an act of banishment passed against him ; but the deliverer of the state was received into the camp with great demonstrations of joy, and the king's sons expelled. Two of them followed their father, and went into banishment to Cære, a city of Etruria. Sextus Tarquinius, having gone to Gabii, which he considered as his own kingdom, fell a sacrifice to the old feuds which he had raised against himself by the rapines and murders he committed in that city. Lucius Tarquin the Proud reigned twenty-five years ; and the whole duration of the regal government, from the building of the city to this period of its deliverance, was two hundred and forty-four years. Immediately after this expulsion of the kings, two consuls †, viz.

Lucius

\* The prefect of the city, before the end of the consular state, was only created occasionally, when the kings or greater officers were absent, to administer justice in their room. But Augustus made this a constant office, and conferred it first upon his favourite Mæcenas. In this capacity he preceded all other city-magistrates, having power to receive appeals from inferior courts, and to decide in all causes within the limits of the city, or an hundred miles round.

† There are several derivations of the word. Pomponius the Civilian

Lucius Junius Brutus and Lucius Tarquinius Collatinus, were elected by the prefect of the city at the comitia by centuries, according to the regulations of Servius Tullius.

## BOOK

Civilian contends, that it comes from *consulere*, signifying, to watch for the public good. Varro and Cicero derive it from the same word *consulere*, but in a different signification, namely, to consult, or ask counsel; because the intent of those who first instituted the consuls, was, that they should do nothing but with the advice or counsel of the senate and the people. Their power was at first the same with that of kings, only restrained by a plurality of persons and shortness of time; and hence Tully calls it *regium imperium* and *regia potestas*. The law which placed *consuls* at the head of the republic, calls them also *praetors* and *judges*. Cicero quotes it in his third book of laws. When it was made in the comitia, which changed the monarchy into a republic, it is said to have run thus: *Reges imperio duo sunt, iisque praeundo, judicando, et consulendo, praे oris, ju. ices, consules, appellantur. Militiae summum jus habent. Nemini parento. Ollis ius populi suprema lex esto.* Let them be two persons vested with regal power, who, from going before, judging, and consulting, are called *praetors*, *judges*, and *consuls*. Let them have the supreme command in war. Let them be subject to no person. Let the safety of the people be to them the supreme law. In war they commanded in chief over citizens and allies, and their power was very extensive in peace. They had the government of the senate itself, which they assembled or dismissed at their pleasure. And though their authority was very much diminished, first by the tribunes of the people, and afterwards by the emperors, yet they were still employed in consulting the senate, administering justice, managing public games, and they had the honour to have the year called by their names. At first none but patricians were capable of being elected into this office; but the commons, as we shall afterwards see, obtained the privilege of having one of their own body an associate in it, and were sometimes so powerful, as to have both consuls chosen out of their order. No person was allowed to sue for this office, unless he was present at the election, and in a private station; and the common age required in the candidates was forty-two years. But sometimes the people dispensed with this law, and the emperors seldom regarded it. The time of their government before Julius Cæsar was always a complete year; but he introduced a custom of substituting *consuls* at any time for a month or less as he pleased. Yet the consuls who were admitted the first of January, denominated the year, and were called *ordinarii*, and the others were styled *sufficii*. They were only denied the common use of the sceptre, crown, and an habit of distinction. But our author, b. 30. assures us, that the consuls, on the days of their triumphs, in the public sports, and at solemn sacrifices, wore the crown of gold, the ivory staff, or sceptre, and the habit striped

## B O O K II.

## A BRIDGMENT.

I. Brutus binds the people by oath, never to suffer a king at Rome. II. Obliges Tarquinius Collatinus his colleague, who was suspected on account of his relation to the Tarquins, to resign the consulship and leave the state. V. Orders the goods of the royal family to be plundered; consecrates a field of theirs to Mars, which was from thence called the Campus Martius: beheads some young noblemen, and among the rest his own and sister's son, because they had conspired to receive the Tarquins into the city; makes the slave free who discovered the plot: from his name *Vindictus* is derived the word *vindicta*. VI. He leads out an army against the kings, engages Aruns, one of the sons of Tarquin, and expires at the same time with his adversary. VII. The ladies mourn for him a whole year. VIII. P. Valerius proposes a law for allowing appeals to the people: the Capitol is dedicated. IX. Porsena king of Clusium espouses the cause of the Tarquins. X. Cocles makes a noble stand at the wooden bridge. Porsena's army obliged to keep within their camp. XII. The remarkable bravery of Mucius Scaevola: A peace is concluded, and hostages given. XIII. Clælia one of the hostages, having deceived her keepers, swims cross the Tiber, is delivered back to Porsena, who sends her home with honour. She is honoured with an equestrian statue. XVI. Ap. Claudius removes from the country of the Sabines to Rome, is honoured with the name of a new tribe. XIX. XX. Tarquin having raised an army of Latins, A. Postumius the dictator is sent against him, and defeats him at the

striped with purple, as the kings did. They were guarded by the twelve lictors alternately, each in his month; and Brutus was first attended with the fasces before his colleague Collatinus, according to our author, b. 2. ch. 1. The consul who was the oldest, or had most children, or most suffrages for the consulship, had the presidency and the lictors for the first month.

late

le Regillus. XXIII. &c. The commons, having withdrawn to the Sacred mount, are brought back by the persuasion of Menenius Agrippa, who dies so poor, that he is buried at the public expense. XXXIII. Five tribunes of the people created; Coriolani taken by the valour of C. Marcius, who is thereupon surnamed Coriolanus. XXXVI. Ti. Atinius admonished in a dream to acquaint the senate of some religious ceremonies which had not been decently performed, neglecting to do it, loses his son and the use of his limbs; but being carried to the state, and discovering the matter, walks home again. XXXIX. XL. M. Coriolanus marches towards Rome at the head of an army of the Volsci, is prevailed upon by his wife and mother to retire. XLI. The Agrarian law first made. Sp. Cassius condemned for aspiring to the crown. XLII. And Oppia a Vestal virgin for her incontinence is buried alive. XLVI. The Fabian family take upon them the burthen of the Veian war; are all cut off at the lake Cremera. LVIII. Ap. Claudius decimates his army for their refusing to obey orders. LX. The different behaviour of the other army under Quintilius: the law made for the election of the tribunes in the comitia by tribes. LXI. The accusation and death of Ap. Claudius. LXII. &c. Several battles with the Volsci, Equis, and Veientes, and contests between the Fathers and commons.

CHAP. I. AS the Romans are from this time to be considered as a free people, I shall proceed to give an account of their conduct in peace and war, their annual magistrates, and the empire of laws, superior to that of men. The insolent behaviour of the late king gave them a greater relish for liberty. For their former princes had ruled with so much moderation, that they may all justly be called founders of those parts of the city which each of them successively added for the accommodation of the people, whose numbers were increased by their care. Nor will admit of a dispute, that the very same Brutus

who deserved immortal praises for expelling this haughty monarch, would have done the greatest injury to the public interest, if, through an unseasonable desire of liberty, he had wrested the kingdom from any of the preceding kings. For what would have been the consequence, if that multitude, made up of shepherds and strangers, fugitives from different countries, having, under the protection of an inviolable asylum, found liberty, or at least impunity, and without being overawed by the dread of regal authority, had begun to be distracted by the storms of tribunician rage? Had they begun to contend with the fathers in a strange city, before the pledges of wives and children, and love of the very soil, which is a work of many years, had united their affections, these civil broils would have entirely ruined their affairs, while they were in this infant-state. But the mild exercise of government so cherished them, and, by proper nourishment, brought their strength to such perfection, as to be able to produce the wholesome fruits of liberty. But the reader may observe, that the rise of liberty was more owing to confining the consular government to one year's continuance, than to their wanting any of that power which the kings had enjoyed. The first consuls had all the privileges and ensigns of authority which had belonged to the kings; only it was provided, "that both the consuls should not appear attended with the fasces at the same time," that the present government might not seem armed with twice the terror of the former. Brutus, as steady in maintaining the people's liberty, as he had been active in recovering it, was, with the consent of his colleague, first attended by the fasces. And that the people might not be softened by the intreaties of Tarquin, or corrupted by his bribes, he obliged them, while fond of their liberty, newly recovered, to take an oath, "never to suffer any more kings

" to

"to reign at Rome." And to give the greater weight to the senate, by augmenting that order, greatly diminished by Tarquin's murders, he chose men of reputation and abilities out of the knights, and with them made up the number to three hundred. And hence it is said arose the custom of summoning to the senate, both the *Patres* and the *Conscripti* \*. Those who were chose into this new senate, they called *conscripti*, (*i. e.* because they were inrolled with them, or added to their list). This contributed in a surprising manner to establish the tranquillity of the state, and to unite the hearts of the Fathers and people.

CHAP. II. Then they applied themselves to the regulation of religious matters; and as some part of the public worship had been performed by the kings in person, that they might not miss them in any respect, they elected one to discharge these duties, and gave him the title of *rex facrorum* †, *i. e.* king of sacred things. This office they made subject

\* These conscript fathers were called the *novus senatus*, or *new senate*. And it appears from our author's words, rightly understood, that the old senators only were called *Patres*, and that the new ones were distinguished from them by the name of *Conscripti*. Dion. Hal. gives the same name of *patres conscripti*, to the first senators, created by Romulus; but this form, *Qui patres, quique conscripti* *esse*, which was used when the senate was called together, sufficiently shews his mistake: so that when we find, in Latin authors *Patres conscripti* used to express the senate in general, the words must be understood, *but if they were joined by a conjunction, patres & conscripti*; *the fathers*, and *those who have been added to them*. Of this opinion is Festus, when he says, that those were called *conscripti*, who had passed from the order of Roman knights, into that of senators.

† Our author justly founds this priestly dignity on the superstition of the people, who considered that their kings having often exercised the priestly office, the decency of the worship which they were obliged to pay to the gods, required that the priest, who presided over the sacrifices, should have the name of king, though his authority was entirely confined to religious concerns, and subjected

subject to the high priest, that the honourable name might be no infringement to their liberty, which was now their principal care. And I am not sure, but their zeal in securing it, even in things of the smallest moment, carried them too far; for in one of the consuls, when nothing else offended them, his name rendered him obnoxious to the state. "The Tarquins had been too long accustomed to the sovereign power; Priscus had first usurped it; Servius Tullius had indeed succeeded him; but Tarquin the proud, during all that reign, not forgetting his claim to the crown, though he saw another vested with it, had, by cruelty and wicked practices, seized on it, as the indefeasible right of his family. Since he was expelled, the supreme power had been in the hands of Collatinus. The Tarquins were not capable of living in a private station. For their part, they abhorred the very name, it was dangerous to their liberty." Discourses of this kind, being at first artfully whispered, were afterwards spread over all the city; to sound the inclinations of the people, and when their jealousy made them uneasy, Brutus summoned them all to an assembly. There first of all he repeats the oath which all the people had taken, "that they would suffer no person to reign in Rome; nor any thing to remain there, that might endanger their liberty. This they ought to main-

to the high priest. Dion. Hal. pretend, that the Romans, in consideration of the advantages which had accrued to their city from their kings, thought themselves obliged to preserve the name, in the person of a sacrificer. He was elected by the people assembled by centuries, and was consecrated by the augurs and pontifices. He enjoyed many privileges, but with this reserve, that he might neither canvass for nor exercise any office or magistracy. He was even forbid to be present in the comitia; and therefore, after he had presided at the sacrifice which preceded the holding of it, he immediately retired. His wife was called queen, and bore a part with her husband in the priestly functions.

" tain

" tain with all their might; nor was any thing  
" to be neglected that in the least regarded it.  
" That he spoke this with the greatest reluctance,  
" upon one man's account; and would not have  
" done it, if love to the commonwealth had not  
" prevailed beyond all other considerations. That  
" the people of Rome do not believe, that they  
" have recovered their entire liberty: for as yet,  
" not only some of the royal family, but some  
" of the royal name remained in the city, and  
" were even possessed of the supreme power.  
" This obstructed their liberty, and hindered  
" them from enjoying it in its full extent." Then,  
turning to Collatinus, " This fear," says he,"  
" O L. Tarquin, do you voluntarily remove.  
" We remember, we confess it, you expelled the  
" kings. Complete this thy glorious service. Take  
" hence the regal name. Your fellow-citizens, by  
" my advice, will not only deliver you all your  
" effects; but, if you want any thing, generously  
" supply you. Depart a friend, free the state,  
" perhaps, of a groundless fear. It is their fixed  
" belief, that along with the Tarquin family,  
" tyranny will leave this place." The consul was  
so shocked with this sudden and unexpected mo-  
tion, that at first he could not open his mouth.  
When he began to speak in his own defence, the  
most considerable men in the city surrounded him,  
and with the most pressing intreaties besought  
him to depart. But their arguments made little  
impression upon him, till Sp. Lucretius, a man of  
great worth, and advanced in years, and who was  
likewise his father-in-law, used various methods  
of persuasion with him; sometimes intreating, and  
sometimes advising him, to suffer himself to be pre-  
vailed upon, by the united desires of his country.  
Upon this he began to reflect, that he might be  
forced to leave the city, after he was returned to  
the

the condition of a private person, and this besides might be attended with the loss of his estate, and some additional mark of disgrace ; he therefore resigned the consulship, and conveying all his effects to Lavinium, withdrew from Rome. Brutus, by a decree of the senate, proposed to the people, that all the family of the Tarquins should be banished ; and in an assembly by centuries he got P. Valerius, who had assisted him in expelling the kings, to be chosen his colleague.

CHAP. III. Though no body doubted that the Tarquins would have recourse to war, yet it broke out later than was universally expected ; but they had like to have lost their liberty by treachery and fraud, practices which they had never suspected : for there were, among the Roman youth, some men of no mean families, who, during the late reign, had pursued their pleasures without any restraint ; and as they were of the same age with and companions of the young Tarquins, had been accustomed to live with the licentiousness that is usual to princes. Looking for the same liberties, now that every citizen was on the same footing, they complained to one another, that the liberty of others had involved them in slavery : “ A king was “ a man, and therefore from him you could hope “ for equity and indulgence. There was room “ for favour and kindness. He could both testify “ his resentment and display his clemency, and “ knew how to distinguish a friend from a foe. “ The laws were always inexorable and deaf, “ being more favourable and better calculated for “ the poor than the rich. They granted no in- “ dulgence, and admitted of no pardon if once you “ transgresst them. Amidst the many failings to “ which human nature is liable, it is a hard mat- “ ter to have no other security to depend on, but “ an innocent life.” In the mean time, while  
their

their minds were fretted at their situation, deputies from the kings arrived unexpectedly at Rome, who, without mentioning their return, only demanded their effects. After the senate had admitted them to an audience, they debated for several days whether they should grant their demands, dreading a war if they refused, and apprehensive if they gave them up, that they would enable the kings to begin, and continue their hostilities. During this debate, the ambassadors were carrying on other projects; for while they openly demanded their effects, they secretly plotted to recover the kingdom, and under pretence of soliciting the young noblemen for their interest in favour of the question depending before the senate, they sounded their inclinations. To those who readily listened to their proposals they delivered letters from the Tarquins, and conferred with them about admitting them into the city in the night.

CHAP. IV. This conspiracy was first communicated to the Aquillii and Vitellii, of whom there were many brothers. Brutus had married a sister of the Vitellii, and by her had two sons, called Titus and Tiberius, who were taken by their uncles as associates in their design. Some other young noblemen were likewise concerned in the plot, but their names, by the injury of time, are lost. When it was voted by a majority of the senate, that the effects of the royal family should be restored, this furnished the ambassadors with a pretext of continuing at Rome, because the consuls had granted them leave to stay there till they could provide carriages for transporting them. All that time they employed in advising with the conspirators, and by their pressing instances prevailed on them to give them letters to the Tarquins: for, said they, “ how will our masters otherwise

" therwise believe, that the accounts we shall give them, about a matter of the highest importance, are not fictitious?" The letters, which they gave as a pledge of their fidelity, discovered the whole affair. For the day before the ambassadors set out on their journey home, they happened to sup with the Vitellii; and, as is usual in such cases, the conspirators conversed long together in private about the newly-concerted plot. A slave, who had before that time perceived what they were about, overheard their conversation; but waited till they should deliver their letters, by the seizing of which, the whole plot might be proved. As soon as he knew that they had delivered them, he informed the consuls of it, who went directly from their houses to apprehend the ambassadors and conspirators, and thereby crushed the whole design without any noise. They took particular care to secure the letters, lest they should have been lost. The traitors were immediately put in irons: for some time they were at a loss how to proceed with respect to the ambassadors; and although they deserved to be treated as enemies, the regard to the law of nations prevailed.

CHAP. V. The restitution of the tyrant's effects, which the senate had formerly voted, came again under consideration. The Fathers, fired with indignation, expressly forbade them either to be restored or confiscated. They were given to be rifled by the people, that, after having shared in the plunder, they might for the future lose all hopes of a reconciliation with the Tarquins. A field belonging to them, which lay between the city and the Tiber, was consecrated to Mars, and since that time hath been called the Campus Martius\*.

\* It was a plain encompassed with trees, and from this time made a common pasture, and the Roman youth made use of it as a convenient place for the exercises of wrestling and racing.

It happened that there was a crop of corn upon it ready to be cut down ; but as they thought it unlawful to use it, after it was reaped, a great number of men carried the corn and straw in baskets, and threw them into the Tiber, the waters of which were low, as is usual in the heat of summer, so that the heaps of corn sticking in the shallows were covered with mud : by these and other things which the river happened to bring thither, an island was formed by degrees, which, I suppose, with the addition of banks, and the assistance of art, was raised so high and made so firm, that temples and porticoes were built upon it \*. After plundering the tyrant's effects, the traitors were condemned and executed. Their punishment was the more remarkable, because the consulship of Brutus forced him to submit to the office of punishing his own children, and him who should have been removed from beholding such a mournful spectacle, fortune obliged to oversee the infliction of the punishment. Young men of the highest quality stood tied to a stake ; but the consul's sons attracted the eyes of all the spectators from the rest of the criminals, as from persons unknown ; nor did the people pity them more on account of the severity of the punishment, than the horrid crime by which they had deserved it.

“ That they, in the very year of their deliverance  
 “ from slavery, should have conspired to betray  
 “ into the hands of Tarquin, formerly a proud  
 “ tyrant, and now an hostile exile, their native  
 “ country freed from his arbitrary rule, their fa-  
 “ ther, its deliverer, the consulate which took its

\* The island was joined to the city and to the hill Janiculus by two bridges, whence it had the name of *the island of the two bridges*. It was afterwards called *the Sacred island*, when the Romans built a great many temples on it to the honour of their gods. They built in particular three, one to Jupiter, another to *Aesculapius*, and a third to Faunus.

" rise from the family of the Junii, the Fathers,  
 " the people, and whatever belonged either to the  
 " gods or the citizens of Rome." The consuls  
 seated themselves in their tribunal; and the lictors  
 being sent to inflict punishment, stript them naked,  
 whipt them with rods, and struck off their heads.  
 All this time, the people's eyes were fixed  
 upon Brutus, narrowly observing his looks and  
 the air of his countenance; love for his country  
 stood distinguished during the execution of the  
 public punishment. When the traitors were ex-  
 ecuted, that crimes of this nature might be discour-  
 aged by a signal instance of rewards as well as  
 punishments, the slave who discovered the plot,  
 had a sum of money \* given him out of the public  
 treasury, obtained his liberty, and the freedom of  
 the city. This man, they say, was the first that  
 was made free by the rod Vindicta: and as they  
 suppose that his name was Vindicius, it is thought,  
 the word vindicta was derived from it. Since his  
 time it has been customary, that those made free  
 in this manner, have been at the same time sup-  
 posed to be admitted to all the privileges of Roman  
 citizens.

CHAP. VI. When Tarquin got an exact ac-  
 count of those things, not only grieved at the dis-  
 appointment of his mighty hopes, but inflamed  
 with rage and hate; since there was no room for  
 stratagem, judging that recourse must be had to  
 open war; he goes round the cities of Etruria in  
 a suppliant manner, beseeching chiefly the people  
 of Veii and Tarquinii, " That they would not  
 " suffer him, descended of the same blood, late-

\* Our author, b. 9. dec. 1. observes, that the reward appointed  
 by law, for the slaves who should discover conspiracies, amounted  
 to 25,000 aspes of brass, about 8 l. 14 s. 7 d.

" ly possessed of so great a kingdom, banished,  
" and reduced to poverty, with the young men  
" his sons to perish before their eyes. Others had  
" been sent far from foreign countries to reign at  
" Rome ; but he their lawful king had been ex-  
" pelled his kingdom by a conspiracy of his near-  
" est relations, while he was employed in enlar-  
" ging the Roman empire by his arms abroad.  
" Because no one man appeared to be worthy of  
" the regal power, they had divided it, and  
" shared it among them : they had given his ef-  
" fects to be plundered by the people, that all  
" might be accomplices in the crime. He want-  
" ed to recover his native country, and his king-  
" dom, and to punish his ungrateful subjects ;  
" they ought to aid and assist him, to revenge at  
" the same time their own ancient injuries, their  
" legions so often slaughtered, and their lands ta-  
" ken from them." These arguments prevailed  
on the people of Veii ; and they made their bra-  
vadoes, that now at least, under the conduct of a  
Roman general, they would wipe off their former  
disgrace, and recover what they had lost in war.  
His name and relation induced the people of Tar-  
quinii : they deemed it an honour to have one of  
their nation king of Rome. Therefore the two  
armies of these states put themselves under the  
command of Tarquin, in order to recover his  
kingdom, and to take vengeance upon the Ro-  
mans. When they entered their territories, the  
consuls march out to meet them. Valerius led up  
the foot in a square battalion, and Brutus marched  
before with his horse to reconnoitre the enemy.  
Their cavalry likewise came up first, commanded  
by Aruns, Tarquin's son ; the king himself follow-  
ed with the legions. Aruns knew at a distance, by  
the lictors, that it was one of the consuls ; but  
when he came nigher, and discovered for certain

that it was Brutus by his face, all inflamed with rage, he cried out, “ There is the villain who has “ banished us from our native country ! see how “ gallantly he rides adorned with the ensigns of “ our dignity ! now assist me, gods, the avengers “ of injured kings.” Having said this, he put spurs to his horse, and drove against the consul with all his force. Brutus perceived he made at him ; and as it was honourable in these days for the generals to engage in single combat at the head of their armies, he willingly met his enemy. They encountered one another with such fury, and each was so regardless of self-preservation, so he might wound his adversary, that at the first push they pierced each other’s shields, run one another through the body, and fell from their horses, fastened together by their lances, in the agonies of death. The rest of the horse engaged at the same time, and soon after the foot came up. The bravery of both sides seemed equal, and the victory doubtful. The right of both armies was victorious, and the left defeated. The Veientes, accustomed to be discomfited by the Romans, were routed and put to flight. The Tarquinenses, who were a new enemy, not only stood their ground, but even obliged the Romans on their side to give way.

CHAP. VII. After this smart engagement, so great a terror seized Tarquin and the Etrurians, that both the armies, in the night, without attempting any thing farther, returned each to their own home. A strange story is reported concerning this battle, that the next night, when all things were quiet, a loud voice had been heard out of the wood Arfia \*, which was believed to be the voice of

\* The field of battle was situated between the hill Janiculus, and

of Sylvanus, who said, “ That the Etrurians had “ lost in the action one man more on their side, “ and that the Romans were conquerors.” It is certain, that the Romans left the field of battle like a victorious army, and the Etrurians with all the signs of a defeat. For as soon as it was light, and no enemy to be seen, P. Valerius the consul, gathering up the spoils, returned in triumph to Rome, and buried his colleague with all the pomp which the simplicity of the times would allow. But that which did greatest honour to his death, was the public mourning, remarkable for this in particular, that the matrons mourned a whole year\* for him, as for a parent; because he had been so stern a revenger of violated modesty. The surviving consul had been in great esteem with the people; yet so fickle are their minds, that he not only incurred their hatred and suspicions, but was even charged with the most odious designs. A report was spread, that he aspired to the crown, because he had not chosen a colleague in the room of Brutus, and had begun to build a house on the upper Velia †, which, from the height and strength of its situation, they said would be an impregnable fortress. As these stories were buzzed about and gained credit, Valerius was grieved to the very soul at the unworthy opinion they entertained of him; and therefore having summoned the people to a council, he came down to the assembly, with the fasces lowered. It pleased the multitude ex-

and the place now called *Borgetto*. It was bounded by this forest, consecrated to a hero, whose name was *Arius*.

\* The year of mourning was but ten months, according to Numa's prescription.

† That is, upon that part of the Palatine hill, which is called *summa, upper*, to distinguish it from that part called *ima, lower*. Varro derives this word *Velia* from the Latin word *vellere*, because the shepherds used to lead their sheep to feed in that place, and there pluck off their wool before shearing was invented.

tremely, to see the ensigns of authority lowered to them ; which was plainly acknowledging, that the majesty and power of the people was greater than that of the consul. When they were called to silence, Valerius highly extolled the good fortune of his colleague, " who after delivering his country, fighting bravely in defence of its liberty, had died in the greatest honour, when his glory was at the very height, and before it was blasted by envy. As for himself, he had survived the reputation he had acquired, was now exposed to envy and a shameful imputation, and from being esteemed the deliverer of his country, was looked upon to be as black a traitor as the Aquillii and Vitellii. Shall no man's virtue," continued he, " be so fully proved by you, as to be proof against suspicions? Could I, who have shewn myself an implacable enemy to kings, have reason to fear, that I should ever be accused even of aiming at the sovereignty? What though I dwelt in the Capitol, or even in the citadel itself, could I believe that my fellow-citizens would dread me? Does my reputation among you depend on such trifles? Is your confidence in me built on so weak a foundation, that you are more concerned about the situation of my house than the conduct of my life? Assure yourselves, Romans, the house of P. Valerius shall not obstruct your liberty; fear no danger from Velia; I will not only remove my house into the plain, but likewise build it at the foot of the hill, that you may dwell above me a suspected citizen. Let those build their houses on Velia, to whom you can more safely trust your liberty, than to P. Valerius." Accordingly the materials were immediately carried down from Velia; and his house was built at the foot of the hill, where the temple of Victory now stands.

CHAP. VIII. After this the consul made laws which not only cleared him of all suspicions of aiming at the regal power, but had so great an effect the other way, that they made him popular, and for that reason he was surnamed Poplicola \*. The first law enacted, allowed an appeal to the people from the judgment of the magistrates, and declared both the person and goods of him who should form any plot for usurping the sovereign power, execrable. As these laws were very agreeable to the people, so, after he had passed them alone, that he might have the sole merit of them, he assembled the comitia for electing a colleague. Sp. Lucretius is chosen consul, who being old, and his strength so much decayed that he could not discharge the duties of his office, dies in a few days; M. Horatius Pulvillus succeeds him. In some old historians, I don't find Lucretius named as consul, but Horatius is immediately mentioned after Brutus; I suppose, because, as nothing happened in his consulship, to make it remarkable, it came to be forgot. Jupiter's temple in the Capitol was not yet dedicated; therefore the consuls cast lots who should perform that ceremony. The lot fell upon Horatius, and Poplicola marched against the Veientes. The friends of Valerius discovered more uneasiness than became them, that the honour of dedicating so famous a temple should have fallen to Horatius. They tried all means therefore to prevent it; but when they found every thing ineffectual, in the very moment that he

\* Every Roman had ordinarily three, and sometimes four names. The first was called *praenomen*; the second *nomen*; the third *cognomen*; and the fourth *agnomen*. The *nomen* shewed the family from which the person was descended. The *praenomen* and *cognomen* were often nicknames, taken from the circumstances of the person's birth, or his defects or bodily qualities. The last names were to some titles of honour, as those of Poplicola, Africenus, Germanicus, &c.

was holding the post of the temple, and addressing his prayers to the god, they brought him a piece of melancholy and inauspicious news ; that his son was dead, and that he could not dedicate the temple while his family was in mourning. Whether he did not believe it, or had so much resolution as not to regard the news, I find no sure account, nor is it easy to judge. However, it made no impression upon him ; only he ordered his son to be buried, and holding the post in his hand, finished the prayer, and dedicated the temple \*. These actions the Romans performed in peace and war the first year after the expulsion of their kings. Then was P. Valerius a second time, and T. Lucretius chosen consuls for the next year.

CHAP. IX. By this time the Tarquins had fled to Lars † Porsena king of Clusium ‡. There mixing advice with their intreaties, “ they some-

\* The honour of dedicating a temple was a mark of distinction which the great men of Rome earnestly solicited. This ceremony, in the earliest times of the republic, belonged to the consuls, who either cast lots for it, or were appointed thereto by the senate. Afterwards the people assembled by tribes, named the consecrator. At length the senate recovered the right of nomination, and this even in the time of the Roman emperors. The dedication of a temple was a solemn festival, accompanied with extraordinary rejoicings. The altars were then adorned with flowers and garlands. Sacrifices were offered up, and hymns sung to instruments of music. The magistrate, who presided at the ceremony, gave the college of the pontifices notice of the day of dedication. He summoned the pontifex maximus to appear at the temple, and pronounce the words of consecration : after whom this magistrate repeated them word for word, with his hand upon the side-post of the door of the temple. He was obliged to be extremely exact in doing it. A syllable forgotten, or ill pronounced, gave the people an alarm, and they thought it an unlucky omen to the consecrator. Therefore Metellus the pontifex maximus, who had an impediment in his speech, was several months learning to pronounce the word *opifera*. It was not lawful to appear at this solemnity in mourning, but only in white cloaths.

† Lars in the Etrurian language is said to signify prince or lord.

‡ A city of Tuscany, now called Chivis.

“ times

" times besought him, not to suffer them, who  
 " were descended from the Etrurians, and of the  
 " same blood and name, to live in perpetual exile  
 " and poverty: at other times they advised him  
 " not to let this growing practice of expelling  
 " kings, pass unpunished. Liberty has charms  
 " enough in itself: and unless kings defend their  
 " crowns with as much vigour as the people de-  
 " fine it, the highest must be reduced to a level  
 " with the lowest; there will be no distinction of  
 " ranks, nor subordination in society: and hence  
 " there must be an end of regal government, the  
 " most beautiful institution both among gods and  
 " men." Porsena thinking that it would be an ho-  
 nour to the Tuscans to establish a king at Rome,  
 and especially one of their own nation, marched  
 towards it with an hostile army. The senate was  
 never before under so great a terror as on this oc-  
 casion; the power of the state of Clusium was so  
 mighty, and the renown of Porsena so great. Nor  
 did they only dread their enemies, but even their  
 own citizens, lest the common people, through ex-  
 cess of fear, receiving the Tarquins into the city  
 should accept peace at the expense of their liberty.  
 To prevent this, the senate at that critical juncture  
 made many concessions to sooth their minds. Their  
 first care was to lay in provisions, and persons  
 were sent to the Volsci and to Cumæ \* to buy up  
 corn. And because the tax on salt was farmed  
 at a very high rate, the monopoly was taken out  
 of the hands of private persons, and intrusted to  
 agents who were to manage it for the public.  
 The common people were freed from all imposts

\* A city of Campania. It stood upon a hill whose foot was washed by the waves of the sea. The ruins of it bear the name of Cumæ to this day. Four miles from it, near the lake Avernus, now Lago d'Averno or Lago di Tripedra, there is a cave, which passes in the country for the Sybil's grotto, Grotta della Sibilla.

and

and taxes, which were laid upon the rich, who were able to bear them. "The poor," they said, "paid tribute enough to the commonwealth, if they brought up their children." This indulgence of the fathers cemented the affections of all the citizens so firmly, that afterwards, when they were distressed by the siege and famine, both high and low shewed the utmost abhorrence to the very name of king; nor was any man since that able to make himself so popular by indirect practices, as the whole body of the senate was at that time for their good government.

CHAP. X. When the enemy approached, every body, in order to save themselves, fled out of the country into the city, which they secured with strong guards; so that by the walls on one side, and the Tiber on the other, it seemed sufficiently defended. The bridge Sublicius had nigh furnished the enemy with an entrance to the city, but for one man, Horatius Cocles; this defence had the fortune of Rome that day. This hero happened to be sentry on the bridge. When he saw the fort Janiculum taken by surprise, and from it the enemy running down at full speed, and observing the Romans through fear quitting their ranks and arms, he laid hold of them one by one, and pulled them back, beseeching them most earnestly in the name of gods and men to assist him. He declared, "That their flight would avail them nothing, if they deserted their post; if they left the bridge behind them free for the enemy to pass, there would soon be more of them in the Palatium and Capitol, than in the Janiculum: for that reason he advised and charged them to demolish the bridge, by cutting it down, setting fire to it, or by any means whatever. That he would oppose the assault of the enemy, as much as a single man could oppose it." Having said this,

he

he advanced to the very entrance to the bridge; and being easily distinguished among those who turned their backs and fled, facing about to engage the enemy hand to hand, by his surprising bravery terrified the Etrurians. Shame kept two with him, Sp. Lartius and T. Herminius, men eminent for their birth, and renowned for their gallant exploits. With these he for a short time stood the first shock of danger, and the most disorderly part of the fight. But as they who demolished the bridge, called upon them to retire, he obliged his companions to withdraw on a few planks that yet remained. Then casting his stern eyes round all the officers of the Etrurians in a threatening manner, he sometimes challenged them to fight him one by one, sometimes reproached them all, “ calling them the slaves of haughty tyrants, who, regardless of their own freedom, came to oppress the liberty of others.” They were at first in suspense, and looked at one another to see who would begin the attack. At length their whole army, stung with shame, advanced, and setting up a shout, threw their javelins at a single enemy from all sides: receiving all the darts which were thrown at him upon his shield, he continued with the same undaunted resolution, and in the same steady posture, to maintain the bridge. They were now endeavouring to shove him into the water by force, when the crash of the bridge that was broke down, and the shouts of the Romans for joy that they had finished their work, abated their fury a little, and struck a sudden terror into them. Then Cocles, “ O father Tiberinus,” said he, “ I beseech thee, in the most devout manner, graciously to receive this soldier, and these arms, into thy merciful streams.” Having spoke thus, he leaped, armed as he was, into the river; and, amidst a shower of the enemy’s darts

soldiers; and Valerius himself led some chosen cohorts down from Mount Cœlius, who were first descried by the enemy. When Herminius heard the noise, he rose out of the ambuscade; and the Tuscan having charged Valerius, he fell upon their rear with great havock. The alarm at the same time was given on the right and left, from the gates Collina and Nævia; the plunderers were surrounded and put to the sword, being unable to make any resistance, and all the ways blocked up against their escaping by flight: nor after this did the Etrurians venture to stroll about the country in such a disorderly manner.

CHAP. XII. Nevertheless the blockade continued, with a scarcity of provisions, and at a very high price. By continuing the siege Porsena hoped to take the city; when C. Mucius, a young nobleman, thinking it a disgrace, that as the Romans, when enslaved under kings, had never been confined within their walls by any war, nor by any enemy, should now, when a free people, be blocked up by these very Etrurians, whose armies they had often routed, took a resolution to wipe off that reproach by some great and bold attempt. At first he designed privately to penetrate into the enemy's camp; but being afraid, if he went without the permission of the consuls, or communicating his design to any body, he might be seized by the Roman guards, and brought back as a deserter, especially at a juncture when the situation of the city would justify their suspicions, he went to the senate, and thus addressed them: " Fathers, I intend to cross the Tiber, " and enter the enemy's camp, if I can; not " through a desire of plunder, or to revenge in " our turn the devastations they have committed. " I am resolved, by the assistance of the gods, to " perform an action greater and more glorious."

The

The senate approved his design, and he set out with a poniard hid under his cloaths. When he came thither, he planted himself among the thick-est of the croud, near the king's tribunal. It happened, that the soldiers were receiving their pay, and the king's secretary sitting by him, with no great difference in their dress, was busy in dis-patching busines, and to him they commonly ad-dressed themselves. Being afraid to ask which of them was Porsena, lest his ignorance should dis-cover him, as fortune blindly directed the blow, he kilied the secretary instead of the king. He was going off, and had, with his bloody dagger, made his way through the multitude, amazed at this bold attempt, when the cry was given ; and immediately the king's guards surrounded him, seized and brought him back to the presence of Porsena. And now, though he was destitute of all manner of relief, in sight of the most terrible punishments which threatened him, yet, with a countenance that struck more terror than it dis-covered fear, he said to him, “ I am a Roman; ” my name is C. Mucius, who, as an enemy, would have killed my enemy. I have as much courage to endure death, as to slay another person. It is like a Roman to behave valiantly, and suffer with resolution. I am not the only one who bear this resentment against thee ; there is a great number to come after me, who all aspire to the same honour. Therefore, if you chuse it, arm thyself, every moment to run the risk of thy life, and have the sword and enemy in the door of thy tent. This war we the Roman youth denounce against thee. Thou mayst hereafter be afraid of neither army nor battle. With thee alone will we have to do, one after another.” When the king, highly incensed, and at the same time ter-ified at the risk he had run, in a menacing

manner, commanded fires to be kindled about him, if he did not speedily discover the plots, which, by his threats, he had darkly insinuated to be prepared against him ; Mucius said, “ Behold me, “ that you may be sensible how despicable a “ body is to those who aim at great glory ;” and immediately put his hand into the fire that was lighted for the sacrifice. When he continued to broil it as if he had been quite insensible, the king, astonished at this surprising sight, leaped from his throne, and commanded the young man to be removed from the altar, saying, “ Be gone, thou hast behaved more like “ an enemy towards thyself than me. I would “ encourage thee to persevere in thy virtue, if “ that affection to thy country had been exerted “ in my behalf. I now discharge thee, by the “ law of arms, without any violence or injury.” Then Mucius, as an acknowledgment for the king’s generosity, “ Seeing,” said he, “ you have “ such a regard for virtue, as to draw from me, by “ your generous behaviour, a discovery which “ you could not extort by force ; three hundred “ of us, the chief of the Roman youth, have “ conspired to kill you in this manner. It was “ my lot to attempt it first. The rest will follow “ each in his turn, and will fall upon you, as “ soon as they can find a proper opportunity.”

CHAP. XIII. Mucius being dismissed, who was afterwards named Scævola \*, from the loss of his right hand, ambassadors from Porsena followed him to Rome. The risk he had run in the first attempt, in which nothing saved him, but the mistake of him who had lain in wait for him ; and the constant dangers he was unavoidably exposed to, in proportion to the number of conspirators, made

\* Because, after the loss of his right hand, he made use of his left.

so strong an impression upon him, that of his own accord he made proposals of peace to the Romans. In these proposals he endeavoured to include the Tarquins, and to have their restoration inserted among the articles, but to no purpose ; he did it indeed more, because he could not deny the Tarquins that satisfaction, than from any hopes that the Romans would comply with it. He got the lands of the Veientes restored to them ; and the Romans were obliged to give hostages, upon condition the king should withdraw his garrison from Janiculum. Peace being concluded on these terms, Porsena drew his troops out of that fort, and marched out of the Roman territories. The Fathers gave Mucius, as a reward of his valour, lands on the other side of the Tiber, which were afterwards called the meadows of Mucius \*. By this regard which was shewn to his valour, the women were excited to actions which were greatly for the honour of the public. Clælia a young lady, one of the hostages in the camp of Porsena, which was pitched upon the banks of the Tiber, having deceived her keepers, put herself at the head of a troop of her companions, and swimming over the river amidst the darts of the enemy, brought them all safe to their relations. When the king was informed of their escape, he was at first highly incensed, and sent deputies to Rome to demand Clælia to be delivered up to him ; the rest he made no account of : afterwards, being transported with the admiration of her courage, he said, “ That this action “ exceeded the achievements of even Cocles and “ Mucius,” and gave out, “ that as he would

\* It was customary among the Romans, to make the soldiers, who distinguished themselves in battle, a present of corn, which was called *adrea* ; but to others was given the *fee* of a piece of ground, and in this consisted all the riches of the most illustrious Romans in those early times. But he was thought a dangerous citizen who was not content with seven acres of land.

" look upon the refusal to deliver up Clœlia, to be  
" a breach of treaty ; so, if she was given up, he  
" would send her back safe to her parents." Both  
sides kept their faith : the Romans restored their  
hostage according to treaty ; and the king of Etrur-  
ia not only offered her no injury, but even did  
honour to her courage ; and, after making en-  
comiums on the young lady, promised to give her  
as a present, a part of the hostages, and that she  
should chuse whom she pleased. When they were  
all brought out, she is said to have pitched upon  
the young men who were under age ; both be-  
cause this choice was becoming a virgin, and by  
consent of the hostages themselves, who agreed to  
its being most reasonable, they should first be  
delivered from the enemy, who, on account of  
their age, were most exposed to their insults.  
The peace being renewed, the Romans rewarded  
the uncommon courage of Clœlia, by erecting to  
her, in the top of the Via Sacra, an equestrian  
statue, representing a virgin on horse back, which  
was an honour without precedent.

CHAP. XIV. The custom handed down from the  
ancients, and which is still retained among the other  
solemn usages in our time, of calling every auction of  
the goods taken from the enemy, a sale of the goods  
of king Porsena, being inconsistent with the peace-  
able departure of the king of Etruria ; this usage  
must either have begun in the time of that war,  
and been continued after the peace, or it must have  
taken its rise from a more friendly beginning, than  
this form of selling goods in an hostile manner im-  
ports. The most probable of all the accounts we  
have concerning the matter, is this, that when  
Porsena marched from Janiculum, he made a pre-  
sent of his camp, well stored with all manner of  
provisions brought from the fruitful and adjacent  
lands

lands of Etruria, to the Romans. As the city was in great distress, by reason of the long blockade, the goods were sold, for fear the people should have broke into the camp, and rifled them; and were called Porsena's, rather to express their gratitude for that prince's generosity, than to intimate their setting his property to sale, which was not in the power of the Romans to do. Porsena, after ending the war with the Romans, that he might not seem to have led his army into these parts without effecting any thing, sent his son Aruns with a part of his forces to besiege Aricia\*: The Aricians were at first terrified at this unexpected invasion; but afterwards, upon sending for assistance from the people of Latium and Cumæ, their hopes were so much raised, that they ventured to give them battle, in which the Etrurians attacked the Aricians so furiously, that they routed them at the first onset. But the Cuman troops, using stratagem against force, gave way a little; and when the enemy had passed by them in great disorder, turned and charged them in the rear. By this means the Etrurians, when they had almost got the victory, were inclosed and cut to pieces. A very few of them, having lost their general, because they had no nearer refuge, came to Rome without their arms, in the condition and with the air of suppliants. They were kindly received and entertained. When their wounds were cured, many of them went home,

\* A considerable city of Latium, a mile beyond the ancient city of Alba. It is now a small town, called *La Riccia*. It stood in the Appian way, about 15,000 paces from Rome. Near this city was the lake Aricia, at present *Lago de Nemi*, and a forest and mountain of the same name, which were famous among the ancients for the secret conversations between Numa and the nymph Egeria. Afterwards Aricia became a municipal town. But we must not confound the grove and fountain of Egeria, which Numa consecrated at Rome near the gate Capena, with the forest and fountain of Aricia.

and told the civil usage they had met with. Numbers of them, from the love they bore to their hosts and to the city, staid at Rome ; and a place was assigned them to dwell in, which they have ever since called the Tuscan street \*.

CHAP. XV. Then P. Lucretius and P. Valerius for the third time were elected consuls. This year ambassadors came from Porsena for the last time, to propose the restoration of the Tarquins to the crown. They were answered, That the senate would send deputies to the king ; and accordingly they forthwith dispatched some of the principal persons of that order, to represent to him, That " though they might have answered his ambassadors in a few words at Rome, that they " would not receive the kings, yet they had chose " to send the chief men of their body to wait on " him, that this proposition might never be mentioned for the future, and that their minds might " not be made uneasy at a time when they were " receiving so many extraordinary favours from " one another, by his requiring what was inconsistent with the liberty of the Roman people, " and by their refusing to grant to him, whom " they would willing oblige in every thing, a " request which they could not comply with, ex- " cept they would submit to their own ruin. " That the Roman people were not now under " the government of kings, but in the full enjoy- " ment of their liberties, and firmly determined " rather to open their gates to declared enemies " than to them. They all desired, that their city " and the freedom they possessed might have the " same period. For these reasons, if he wished " for the preservation of Rome, they earnestly

\* This street was in the way from the Forum to the great circus.  
" besought

" besought him to suffer it to remain a free state." The king, overcome by their modest arguments, said, " Seeing you are resolute and bent upon it, I will not press you by a vain repetition of the same proposals; nor will I amuse the Tarquins with the hope of assistance, which I cannot give them. Whether their affairs require peace or war, they must seek for another residence in their exile, that nothing may disturb the peace subsisting between me and you." To these kind promises he added actions that were more generous; for he delivered up their hostages that remained in his hands, and restored to them the land of the Veientes, which had been taken from them by the treaty of Janiculum. Tarquin, cut off from all hopes of returning to the kingdom, went to his son-in-law Mamilius Octavius to live with him at Tusculum \*. By these means the peace between Porsena and the Romans was inviolably observed.

CHAP. XVI. Then M. Valerius and P. Postumius were chosen consuls. This year a victory was obtained over the Sabines, and the consuls received the honour of a triumph. Upon this the Sabines made greater preparations for war than they had done before. To make head against them the better, and to prevent any surprise from Tusculum, whence they dreaded a war, though it was not yet declared, P. Valerius was created consul a fourth time, and T. Lucretius for the second time. A sedition arising between two factions of the Sabines, the one for making peace, and the other for continuing the

\* A city of Latium, about twelve miles from Rome, built on an eminence, where many of the Roman nobility, and particularly Virgil and Horace, had country-seats. Hor. Epod. i. 29. It is now called *Frascati*.

war, brought from that state some additional strength to the Romans. For Attus Clāusus, afterwards called at Rome Appius Claudius, had always declared for peace; but being hard put to it by those who promoted the war, and finding himself unable to resist the violence of that party, fled from Regillum \* to Rome, and brought with him a great number of his clients. They were made free of the city, and had land assigned them on the other side of the Anio. It was called the old Claudian tribe †, and was afterwards increased by the addition of some small tribes which had come from that country. Appius, being chosen into the senate, was soon after advanced to the highest dignity of that order. The consuls entered the territories of the Sabines with an hostile army, and having, both by ravaging their country, and

\* There are now no remains of this city which the ancients called sometimes Regillæ, and sometimes Regillum. But, by the descriptions which they have given of it, it appears to have been about twenty miles distant from Rome, and about five from the Tiber. Cluverius places it beyond Eretum and Nomentum.

† There were among the Romans, city-tribes, and country-tribes, from Servius Tullius's time. Rome itself was divided into four tribes, which took their names from the several quarters of the city. The first was called Suburana Tribus; the second, Tribus Palatina; the third, Tribus Esquilina; the fourth, Tribus Collina. The country belonging to the Romans, was also divided into tribes, in the same manner, and they, for the most part, took their names from some illustrious families in Rome. It is probable that there already was a tribe in the territory, in which Clāusus or Claudius's clients were placed; and that, upon their coming, it took the name of Tribus Claudia, in honour to those who were newly come to settle in it. Some will have their district to have been on the banks of the Anio; but others say it lay between Fidena and Ficula. Nor were the tribes in the country inferior to those in the city: for Pliny, b. 18. chap. 3. informs us, that the most illustrious Romans, who had lands in the country, and an house in Rome, chose rather to be enrolled in the tribe, in which their estates lay, than in the tribe or quarter, where their houses stood in the city. They were by this means less exposed to the jurisdiction of the censor, and their rights, as citizens, were not at all impaired by it.

afterwards

afterwards defeating them in battle, reduced their forces so low, that they had no reason to dread their taking up arms again, for a considerable time, they returned to Rome in triumph. The following year, Agrippa Menenius and P. Postumius being consuls, P. Valerius, whom every body allowed to be the ablest man in Rome, both in the arts of peace and war, died in the height of glory, but so poor, that he had not wherewith to defray the expenses of his funeral, and for that reason was buried at the public charge. The ladies mourned for him as they had done for Brutus. The same year two Latin colonies, Pometia and Cora, revolted to the Aurunci. War was commenced against the Aurunci; and after defeating a numerous army of them who had boldly met the consuls entering their frontiers, the whole war was confined to the single town of Pometia. Nor, after the battle was over, did they spare the lives of the Aurunci more than they had done in the heat of the action: for a greater number were slain than taken, and the prisoners were put to the sword without distinction: nor did even the hostages, three hundred in number, escape the rage of war. This year the consuls triumphed at Rome.

CHAP. XVII. The following consuls Opiter Virginius and Sp. Cassius first endeavoured to take Pometia by storm, and afterwards by a close siege, by raising vineæ \* and other works. But the Aurunci, prompted more by an irreconcileable hatred against them, than induced by hopes of success, or tempted by a favourable opportunity,

\* An engine of war made of timber and hurdles, under which, in an assault, they came safely under the walls of a town, and so scaled them. They were usually eight feet broad, seven high, fifteen long.

fallied

fallied out of the town, and though more of them were armed with lighted torches than swords, filled all places with fire and slaughter. After they had burnt down the vineæ, killed and wounded many of the enemy, one of the consuls thrown from his horse with a deadly wound, but which of them, authors do not mention, they left on the field almost dead. Upon this defeat the Romans returned to Rome, and the consul was left among many more who were wounded, with very little hopes of his recovery. After a short time employed in curing their wounds, and recruiting their army, they marched against Pometia with a more numerous army than before, and hearts more keenly bent on revenge. When they had repaired the vineæ and other works, and the siege was so far advanced, that the soldiers were on the point of scaling the walls, the town surrendered. Nevertheless the Aurunci were treated with no less severity, than if the city had been taken by assault; for all their nobility were beheaded, the rest of the people sold for slaves, the city razed, and their lands exposed to sale. The consuls obtained the honour of a triumph rather on account of the severe revenge they had taken on the enemy, than the importance of the war they had finished.

CHAP. XVIII. The following year Postumius Cominius and T. Lartius were elected consuls. During the celebration of the games at Rome, as some of the Sabine youth, in a frolic, were carrying off some lewd women, the mob rose upon them; upon which, not only a terrible scuffle ensued, but even a battle had like to have happened; and from this inconsiderable affair, the whole nation seemed inclined to renew hostilities. Besides the dread of the Latin war, their fears were augmented on receiving certain intelligence, that

thirty different nations \* had entered into a confederacy against them, at the instigation of Octavius Mamilius. While the city was under the utmost concern about the event of these great designs, it was first proposed to nominate a dictator†. But it is uncertain in what year this happened,

\* The names of those cities, whose deputies signed this treaty, according to Dion. Hal. were, Ardea, Aricia, Bovilla, Bibentum, Cora, Corventum, Circæum, Corioli, Corbintum, Cabanum, Fontinæum, Gabii, Laurentium, Lanuvium, Lavinium, Labicum, Nomentum, Norba, Præneste (a city which, according to our author, had submitted to the Romans), Peda, Corcotulum or Querquetulum, Satricum, Scaptia, Setia, Tellenium, Tibur or Tivoli, Tufulum, Toleronium, Tricrinum, and Velitrae.

† This supreme officer was called dictator, either because he was *dictus*, named of the consul; or else from his dictating and commanding what should be done. Though we sometimes meet with the naming of a dictator upon a smaller account, as the holding the comitia for the election of consuls, the celebration of public games, the fixing the nail up in Jove's temple, (which they called *clavum pangere*, and which was used in the times of primitive ignorance, to reckon the number of the years, and in the times of later superstition, for the averting or driving away pestilences and seditions), and the like; yet the true and proper dictator was he who had been vested with this honour upon the occasion of dangerous war, sedition, or any such emergency as required a sudden and absolute command. And therefore he was not chosen with the usual formalities, but only named in the night, *viva voce*, by the consul, and confirmed by the divination from birds. The time assigned for the duration of the office was never lengthened, except out of mere necessity: and as for the perpetual dictatorships of Sylla and Julius Cæsar, they are confessed to have been notorious violations of the laws of their country. There were two other confinements which the dictator was obliged to observe. First, he was never to stir out of Italy, for fear he should take advantage of the distance of the place, to attempt any thing against the common liberty. Besides this, he was always to march on foot; only, upon account of a tedious or sudden expedition, he formally asked leave of the people to ride. But setting aside these restraints, his power was most absolute. He might proclaim war, levy forces, lead them out, or disband them, without any consultation had with the senate: he could punish as he pleased; and from his judgment lay no appeal; at least not till in latter times. To make the authority of his charge more awful, he had always twenty-four bundles of rods, and as many axes, carried before him in public, if we will believe Plutarch and Polybius. Though our author attributes

pened, and who were at that time the consuls in whom the Romans put no confidence, because they were said to be in Tarquin's interest; nor is it sufficiently authorised, who was the first that was raised to that high office. In the most ancient historians, I find that T. Lartius was first created dictator, and Sp. Cassius made his general \* of the horse. They chose men of consular dignity, for so the law, made for the election of a dictator, ordained. For this reason, I am more inclined to believe that Lartius, who had bore the office of consul, was appointed as a governor and master to the consuls, rather than Manius Valerius the son of Marcus, and grandchild of Volesus, who had not yet attained to that dignity. For had they intended to chuse a dictator of that family, they would much rather have pitched upon his father

attributes the first rise of this custom to Sylla, Nor was he only vested with the joint authority of both the consuls; (whence the Grecians called him Δισυπάτος, or double consul); but, during his administration, all other magistrates ceased, except the tribunes, and left the whole government intrusted in his hands.

This office had the repute to be the only safeguard of the commonwealth in times of danger, four hundred years together: till Sylla and Cæsar having converted it into a tyranny, and rendered the very name odious, upon the murder of the latter, a decree passed in the senate, to forbid the use of it upon any account whatever for the future.

\* The first thing the dictator did, was to chuse a magister equitum, or general of the horse, (he himself being, in ancient times, by a more general name termed magister populi), who was to be his lieutenant-general in the army, but could act nothing without his express order. Yet in the war with Hannibal, when the slow proceeding of Fabius Maximus created a suspicion in the commons, they voted, that Minutius, his general of the horse, should have an equal authority with Fabius himself, and be, as it were, another dictator. The like was afterwards practised in the same war upon the defeat at Cannæ, when the dictator, M. Junius, being with the army, Fabius Buteo was chose a second dictator at Rome, to create new senators for supplying their places who had been killed in the battle: though as soon as ever the ceremony was over, he immediately laid down his command, and acted as a private person.

Valerius

Valerius a consular person, and a man of distinguished merit. Upon the creation of the dictator first at Rome, when the common people saw the axes carried before him, they were struck with great awe and dread, and became more submissive and ready to obey his orders. For they could not now, as under the government of consuls, whose power was equal, expect protection from one or them, or appeal to the people; there was no resource but in a ready submission to his will. The Sabines likewise were struck with terror upon hearing that a dictator was chosen at Rome, and the more so, because they thought he was created on purpose against them. Wherefore they sent ambassadors to sue for peace, earnestly intreating the dictator and senate to pardon the young mens offence. They were answered, that they could easily forgive the young, but not the old men, who continually raised one war after another. Nevertheless they continued to treat about a peace; and it would have been granted, if the Sabines, according to what was demanded of them, would have consented to reimburse the expenses of the preparations which the Romans had made. War was proclaimed, but a truce privately concluded prevented hostilities for that year.

CHAP. XIX. In the consulship of Servius Sulpicius and M. Tullius nothing remarkable happened. Their successors were T. Æbutius and C. Vetusius. In their consulship, Fidenæ was besieged, Crustumeria taken, and Præneste revolted from the Latins to the Romans. Upon this the Latin war, which had been gathering for some years, immediately broke out. A. Postumius dictator, and T. Æbutius his general of the horse, marching with a numerous army of horse and foot

to the lake Regillus \* in the country of Tusculum, met the enemy's forces, and upon hearing that the Tarquins were in the army, were so transported with fury, that they came immediately to all engagement. This occasioned a very obstinate and bloody battle. For the generals were not content to give proper orders, but even charged one another fiercely, and exposed their persons in the hottest of the action. And there was hardly any of the principal officers of either side who came off unwounded, except the Roman dictator. As Postumius was drawing up his men and encouraging them to fight, Tarquin the Proud, though his strength was decayed, and he was become unwieldy by age, rode up at full speed and with great fury to attack him; but he received a wound in the side, and was carried off by his own men who came quickly to his relief. In the other wing, Æbutius, general of the horse, had charged Octavius Mamilius; nor did the Tuscan general, who observed him coming, decline the engagement, but briskly spurred on his horse to encounter him. And with such impetuosity did they push their spears against one another, that Æbutius was ran through his arm, and Mamilius wounded in his breast. The Latins received him into their second line; but as Æbutius was not able to wield his lance with his wounded arm, he retired from the battle. Mamilius, not in the least discouraged with the wound he had received, animated his men, and upon seeing their

\* There was both a city and a lake of that name, but it does not appear that the one gave name to the other; for the city was in Sabinia, and the lake in Latium, towards Tusculum. Cluverius and Ferrarius are of opinion, that this lake is the same which is now called *Lago di S. Praffede*. Others suppose it to be the lake now called *Lago di Castiglione*. Holstenius finds a little lake near the city Colonna, which appears to him to be the lake *Regillus of the ancients*.

courage begin to fail, sent for a company of Roman exiles to support them, commanded by Tarquin's son. These men having been banished from their native country, and lost their estates, fought with the greater fury, and by that means renewed the battle for a short time.

CHAP. XX. When the Romans were beginning to give ground on that side, M. Valerius, brother to Poplicola, having observed young Tarquin boldly braving it at the head of his exiles; fired with the renown of his family, and ambitious that the house which had the honour of expelling the kings, should likewise have the glory of killing them, clapt spurs to his horse, and in great wrath threw a javelin at him. Tarquin avoided his formidable enemy, by retiring into a battalion of his own men. Valerius rushed furiously among the exiles, one of whom run him sideways through the body. As the wound he received did not in the least stop the career of the horse, the expiring Roman fell to the ground, and his arms fell above him. Postumius the dictator, seeing this hero killed, the exiles advancing boldly in a body, and observing his own men disheartened and giving ground, gave the signal to his own cohort, a brave body of men chosen for the defence of his person, to treat every Roman soldier who should fly from the battle, as an enemy. Upon this the Romans, finding themselves exposed to equal danger both in front and rear, stopt their flight, rallied, and faced the enemy. And now the dictator's guards, who had not engaged before, with fresh vigour and undaunted resolution fell upon the wearied exiles, and cut them to pieces. Here the commanding officers on each side engaged a second time. The Latin general, seeing the exiles on the point of being surrounded by the Roman dictator, advanced in haste to the front with some companies

of the body of reserve. T. Hermenius saw them moving forwards; and as he well knew Mamilius, distinguished from the rest by his armour and dress, attacked him with a force so much superior to that wherewith the general of the horse had lately encountered him, that at the first push he run him through the side, and slew him. While he was stripping the body of his enemy, he himself received a wound with a javelin; and though brought back to the camp victorious, yet he died on the first dressing of it. Then the dictator flew to the cavalry, and intreated them in the most pressing terms, as the foot were tired out with fighting, to alight from their horses and fall on. They obeyed his orders, dismounted, flew to the vanguard; and covered those in the front-ranks with their round bucklers. The foot immediately took courage, when they saw the young noblemen serving on foot, and exposed to the same dangers with themselves. Thus at length were the Latins beaten back, and their hearts failing them, they retreated. The cavalry remounted, that they might the better pursue the enemy, and the infantry likewise followed. On this happy turn of affairs, the dictator, omitting nothing that could conciliate the assistance of gods and men, is said to have vowed a temple to Castor, and likewise to have promised rewards to the first and second man who should enter the enemy's camp. And such was the ardour of the Romans, that they continued to charge the enemy with the same vigour wherewith they had routed them in the field, till they made themselves masters of their camp. This was the success of the battle at the lake Regillus. The dictator and general of the horse returned to the city in triumph.

CHAP. XXI. For the next three years there was neither any settled peace nor open war. The consuls  
were

were Q. Cloelius and T. Lartius. After them A. Sempronius and M. Minutius. In their consulship, a temple was dedicated to Saturn, and the \* *Saturnalia* appointed to be kept as a festival. Then A. Postumius and T. Virginius were chosen consuls. In some authors I find that the battle at the lake Regillus happened in this year, and that A. Postumius, because the fidelity of his colleague was suspected, laid down his office, and upon this resignation was created dictator. Such great mistakes in chronology are intermixed with the history of these times, while some writers rank the magistrates in one order and some in another, that, according to several of them, it is impossible to give a distinct account, who were consuls, and in what particular year every remarkable action happened, by reason of the antiquity, not only of the facts, but also of the historians who relate them. Then Ap. Claudius and P. Seryilius were elected consuls. This year was remarkable for the news of Tarquin's death. He died at Cumæ, whither he had fled to the tyrant Aristodemus, after the reduction of the power of the Latins. These news gave great joy both to the Fathers and people; but the joy of the Fathers was too extravagant, and rendered them insolent; for the chief men among them began to oppress the people, whom they had to

\* Macrobius assures us, that this feast was celebrated in Italy long before the building of Rome. But we have no account that it was observed by the Romans before the time mentioned by our author, when it is probable they borrowed it from their neighbours. It was kept in honour of Saturn. Besides the sacrifices and other parts of public worship, there were several things which deserve notice. As, first, the liberty at this time allowed to servants to be free with their masters, in memory of the liberty enjoyed in the golden age under Saturn, before the names of master and servant were known. Besides this, friends sent presents to one another. No war was to be proclaimed, and no offender executed. The schools kept a vacation, and nothing but mirth and freedom was to be met with in the city: they kept at first only one day, the 19th of December. But the number was afterwards increased to three, four, five, and some say, seven days.

that day studied to serve and oblige to the utmost of their power. The same year the colony which Tarquin had sent to Signia, was recruited by a new supply of planters. The tribes at Rome were increased to twenty-one. And the temple of Mercury was dedicated the 15th of May.

CHAP. XXII. During the Latin war, the Volsci had neither strictly observed peace, nor declared open war against the Romans. For they had got ready their troops, which they would have sent to the assistance of the Latins, if the Roman dictator had not got the start of them; and he made all possible expedition, that he might not be obliged to engage with them both at the same time. With this resentment, the consuls marched their army into the lands of the Volsci, who, apprehending no punishment for their intention to assist their allies, were the more alarmed at this sudden invasion; and, without having recourse to their arms, gave three hundred children of the principal men of Cora and Pometia, as hostages for their good behaviour. Upon this the Romans left their country, without coming to any action. Soon after, when the Volsci were delivered from their fears, they returned to their natural temper, and having entered into an alliance with the Hernici, made secret preparations for war. They likewise sent ambassadors all over the country, to engage the Latins to join with them. But the late defeat which that people had received at the lake Regillus, inflamed them with so strong an aversion and hatred against every body who advised them to take up arms, that they did not even spare the ambassadors themselves. They seized them, and sent them to Rome. There they delivered them to the consuls, whom they informed that the Volsci and Hernici were preparing war against the Romans. When this

this affair was reported to the senate, the behaviour of the Latins was so agreeable to the Fathers, that they sent back six thousand of their prisoners, and referred, to the new magistrates, the conclusion of a treaty with them, which they had till this time almost constantly refused. Upon this indeed the Latins were heartily glad at what they had done, and those who had advised them to keep the peace, were in high esteem. They sent a crown of gold to the Capitol, as an offering to Jupiter. A great number of those prisoners that had been sent home to their relations, came along with the ambassadors, who brought this present. They went to those persons whose slaves they had been, and thanked them for the generosity and kindness they had shewn them ; during their captivity. To these marks of union they added mutual hospitality. Never was the Latin name more closely united to the Roman state, either by public or private gratitude.

**CHAP. XXIII.** The war with the Volsci, however, still threatened them, and the city divided within itself was inflamed with civil discord between the senators and people ; which was chiefly occasioned upon account of the cruelties used upon the debtors \*, who, for default of payment, were bound

\* The first custom that prevailed among the Romans was terribly severe ; and though the laws might be designed to prevent extravagance, debauchery, and idleness, they were utterly inconsistent with the laws of humanity and good policy. When the debtor was insolvent, the creditor had a right to put him in irons, or to sell him as a slave. Sometimes he was cruel enough to whip him unmercifully. After a certain number of summonses, the law granted to the debtor thirty-two days of grace, to give him time to raise the sum for which he was accountable. After this term was expired, if the debtor had not discharged the debt, he was led to the prator, who delivered him up to the mercy of his creditors. These bound him, and kept him in chains, for the space of sixty days. Afterwards, for three market-days successively, this debtor was brought

bound to serve their creditors, till satisfaction was made. They complained loudly, that they who fought abroad in defence of liberty, and for the enlargement of the state, should be seized and distressed by their fellow-citizens at home; that the freedom of the commons was safer in war than in peace, and among enemies than their own countrymen. Their resentment, which naturally spread of itself, was kindled into a flame by the remarkable calamity of one person. An old man came into the Forum with the marks of all the miseries he had suffered. His cloaths were nasty and greasy, but his body in much worse plight, being pale and feeble with leanness; besides, his long beard and shaggy hair made his countenance look wild and hideous. He was known however in this wretched plight; and the people, out of compassion to him, gave out that he had been a centurion, and had borne other military honours. He shewed them the scars on his breast, as a proof of his having behaved bravely on several occasions. When the people crowded round him, as if they had been summoned to an assembly, and asked him how his body came to be so lean, and his cloaths so dirty;

to the tribunal of the prætor; then a public crier proclaimed in the Forum the debt for which the prisoner was detained. Oft-times there were found rich persons who redeemed the prisoners by offering to pay their debts. But if no body appeared in behalf of the debtor, after the third market-day, the creditor had a right to inflict the punishment by law. *Tertiis nundinis capite pœnas data, ext. trans. Threm peregre venundicato, &c.* If there were several creditors, they were allowed, in consequence of so rigorous a law, to divide the body of the prisoner into several parts, and share them in proportion to the sum which they demanded. But this barbarous law did not continue long in force. It was changed into the punishment of coercion, that is, into the right the creditors had of imprisoning their debtors in their own house, and making them slaves. These were called *nexi*, and not *servi*, because their slavery lasted no longer than till their debts were paid. This coercion of private persons, who kept their debtors in their own houses, was afterwards changed into public imprisonments, which was a less rigorous punishment than the other.

he told them, “ That when he was serving in the war against the Sabines, he not only lost all the fruits of his land by the depredations of the enemy, but his house had been burnt, all his effects rifled, and his cattle carried off: that a tax had been imposed at a very unlucky time for him, and for the payment of it he had been obliged to borrow money: that this debt \* being accumulated by interest upon interest, he had first stript himself of the estate which had belonged to his father and grandfather, then he had given up every thing he had; and that at last the disease like an infection had reached his own body. That his creditor had seized him, and had not treated him as a slave, but confined him to a house of correction and torture.” Then he shewed them his back deformed with the fresh marks of the blows he had received: Upon seeing and hearing all this, a great outcry was raised. The tumult was no longer confined to the Forum, but spread through all parts of the city. Those who were confined for debt, and those who had been confined, but were now at their liberty, hurried into the streets, and implored the protection of the people. There is no want of persons, in every place, ready to take the alarm and join the mob; they flock in crowds, from every corner of the city, and through every street, to the Forum. The Fathers who happened to be there, were in great danger from the mob, who would certainly have fallen upon them, had not the consuls P. Servilius and Ap. Claudius come in haste to quell the riot. The multitude turned towards them, and shewing their chains and gha-

\* The laws in Rome permitted lending money at 20, 30, nay at *cent. per cent.* not only for a year, but even for a month. This shameful abuse was afterwards reformed; but it is surprising to see how strenuously the greater part of the patricians opposed this reformation, which was so just and reasonable.

ly faces, said, these were the rewards of their services, every one upbraiding them with the campaigns they had made in different places. They required them with menaces, rather than the air of suppliants, to assemble the senate; and stood round the house in a body, determined to direct and over-rule their deliberations. The few senators who happened to be there by accident, got near the consuls; the rest were prevented by fear from coming not only to the house, but even to the Forum. The senate could do nothing for want of a sufficient number. Upon this the people began to think their demand was eluded, and the redress of their grievances delayed; that the senators had absented, not through chance or fear, but on purpose to hinder the affair; that the consuls trifled with their petition, and openly made sport of their miseries. By this time the sedition was come to such a height, that the majesty of the consuls could hardly restrain the violence of the mutineers; when the senators, uncertain whether they exposed themselves to greater danger by staying at home, or venturing abroad, came at length to the senate; but though the house was full, the Fathers were not unanimous, even the consuls themselves were divided in their sentiments. Appius, a man of a violent temper, thought the matter was to be done by the authority of the consuls, and that if one or two of the most seditious were seized, the rest would be quiet. Servilius, who was more inclined to moderate measures, thought, that while their minds were in this ferment, it would be more safe and easy to bend than to break them. Amidst these debates, they were alarmed with something that was more terrible.

CHAP. XXIV. Some Latin horse came full speed to Rome, and brought the disagreeable news  
that

that the Volsci were marching with an hostile army, to besiege the city. This news was received by the senate and people quite in a different manner, so far had civil discord divided the same city into different factions. The people rejoiced exceedingly at it. The gods, said they, are come to chastise the pride and insolence of the Fathers. They encouraged one another not to list, saying, "it was better the whole state should be destroyed, than that they should perish alone. Let the patricians take arms and fight themselves, "that they who reap benefits from war, may be exposed to the dangers of it." But, on the other hand, the senate, dispirited and dreading both citizens and enemies, earnestly intreated the consul Servilius, who was a more popular man than his colleague, to deliver the commonwealth from the imminent dangers that threatened it. The consul, having dismissed the senate, went to an assembly of the people, where he assured them, "That the Fathers had the redress of their grievances much at heart: but while they were deliberating upon proper measures for their relief, who were but a part, though indeed the greatest part of the society, they had been alarmed with fears for the whole state: nor could they, while the enemies were almost at their very gates, prefer any consideration to that of the war; neither, though some respite should be given, would it be honourable for the people not to have taken up arms, unless they were paid beforehand; nor consistent with the dignity of the Fathers to relieve the estates of their fellow-citizens encumbered with debt, rather through present fear, than afterwards to do it voluntarily and upon mature deliberation." And to convince the assembly of the sincerity of their intentions, he published a proclamation, which

which forbade “ the detaining of a Roman citizen, either in prison or in chains, to hinder his listing himself under the consuls. And that no body should either seize or sell the goods of any soldier, while he was in the camp, or arrest his children or grandchildren.” As soon as this ordinance was published, the debtors who were present immediately entered their \* names ; and great numbers from all quarters of the city, as their creditors could not detain their persons, came out of their lurking-places, and crowded into the

\* At the same time of the year, as the consuls were declared elect or designed, they chose the military tribunes, fourteen out of the body of the equites, who had served in the army five years; and ten out of the commonalty, such as had made ten campaigns. The former they called *tribuni juniores*, the latter *seniores*.

The consuls, having agreed on a levy, (as, in the time of the commonwealth, they usually did every year), they issued out an edict, commanding all persons who had reached the military age (about 17 years) to appear (commonly) in the Capitol, or in the area before the Capitol, as the most sacred and august place, on such a day. The people being come together, and the consuls, who presided in the assembly, having taken their seat, in the first place, the four and twenty tribunes were disposed of, according to the number of legions they designed to make up, which was generally four. The junior tribunes were assigned, four to the first legion, three to the second, four to the third, and three to the last. The senior tribunes, two to the first legion and the third; three to the second and last. After this, every tribe being called out by lot, was ordered to divide into their proper centuries; out of each century were soldiers cited by name, with respect had to their estate and class; for which purpose there were tables ready at hand, in which the name, age, and wealth of every person was exactly described. Four men, as much alike in all circumstances as could be pitched upon, being presented out of the century, first the tribunes of the first legion chose one, then the tribunes of the second another, the tribunes of the third legion a third man, and the remaining person fell to the tribunes of the fourth. Then four more were drawn out: and now the right of chusing first belonged to the tribunes of the second legion; in the next four to the tribunes of the third legion; then to the tribunes of the fourth legion, and so round; those tribunes chusing last the next time, who chose first the time before; the most equal and regular method imaginable.

forum to take the military oath \*. These made up a considerable body of men, and none behaved with more courage or were more useful in the war against the Volsci. The consul led out his army against the enemy, and pitched his camp at a little distance from them.

CHAP. XXV. The next night the Volsci, relying on the discord that prevailed among the Romans, made an attempt on their camp, to see if any of them, under cover of the night, would either betray the rest or come over to them. The centinels on guard perceived their design; the army was alarmed, and, the signal being given, ran to their arms. By this means the Volsci were disappointed, and both sides remained quiet the rest of the night. The next morning, at day-break, the Volsci, having filled the ditches, attacked the rampart. They had already begun to break down the palisadoes of the camp on all sides; when the consul, though his men from every quarter, but especially the debtors, cried out to him to give the signal, delayed a little to try the good-will of his soldiers; but being convinced of their ardour, and having at length given the word of command, he let out his men impatient for the battle. The enemy were routed at the first charge; the foot pursued, and slew all those they were able

\* The giving the military oath, which was called *sacramentum*, was, properly speaking, the legal method of forming the Roman armies. After the soldiers had been chosen out of each tribe, the oath was administered to them in the following manner. The tribunes of each legion assembled the body they commanded. Then one soldier in a legion swore in the name of all the rest, to obey the commanders of the Roman army. After he had ended, the whole legion passing by, one by one, every man, in short, swore to the same effect, crying as he went by, *Idem in me*. This custom continued till the 538th year of Rome; and then another oath was added, mentioned by our author, b. 22; but of this in its proper place.

to overtake; and the horse drove the rest in a great consternation to their camp; which, being immediately surrounded by the legions, and abandoned soon after by the Volsci in a panic, was taken and plundered. The day after, the army marched to Suessa Pometia, whither the enemy had fled; the city was taken in a few days, and given to be plundered by the soldiers, which proved some relief to their present want. The consul brought back his victorious army to Rome with the greatest glory. On his return the deputies of the Ectetans, who were a part of the Volsci, after the taking of Pometia, dreading the ruin of their state, came to him. By a decree of the senate peace was granted them, but all the property of their lands was taken from them.

CHAP. XXVI. Immediately after the conclusion of this peace, the Sabines put the Romans in a fright; for it was rather a tumult than a war. The city was alarmed in the night with an account that the Sabine army ravaging the country was advanced as far as the river Anio, and that they there plundered and burnt all the farmhouses without mercy. A. Postumius, who had been dictator in the Latin war, was immediately sent against them with all the horse: the consul Servilius followed him with a choice body of foot. The cavalry cut off most of the stragglers; nor did the Sabine legions make any resistance against the foot, when they came up with them. Being tired with their march and plundering the country in the night, and a great number of them being overcharged with eating and drinking in the cottages, they had not even strength sufficient to fly. The Sabine war being thus heard of and finished in one night, the next day, when the Romans were in great hopes that they had secured peace with

with all their neighbours, the ambassadors of the \* Aurunci came to the senate, threatening them with an immediate declaration of war, if they did not withdraw their troops from the territory of the Volsci. At the same time that the deputies set out for Rome, their army had likewise begun its march thither. The report of its being seen not far from Aricia, occasioned so much confusion at Rome, that the senate could not be regularly consulted, and their hurry in arming themselves would not suffer them to give a deliberate answer to the Aurunci, who were coming against them in arms. They marched to Aricia with a resolution to fight; came to an engagement not far from that city, and in one battle put an end to the war.

CHAP. XXVII. After the defeat of the Aurunci, the people of Rome, who had finished so many wars successfully in a few days, expected that the senate and the consul would perform their promises. But Appius, both through his natural pride, and a design to make void the engagements of his colleague, put in execution the laws against those who had borrowed money, with the utmost rigour. And from this time, those who had been in the prisons of their creditors, were delivered up to them again, and others also were put into their hands. When this happened to a soldier, he applied to Servilius for assistance, and every body ran to him for relief. They represented to him the promises he had made, and all of them upbraided him with the services they had done in war, and shewed him the scars of the wounds

\* The Aurunci possessed that part of Italy which reaches from Terra di Lavoro, beyond the Caiiglano or the Liris. The capital of this nation was situated almost in the neighbourhood of the cities of Fundi and Cajecta.

they had received. They loudly called upon him to lay the matter before the senate, and conjured him, as he was consul, to relieve his fellow-citizens, and, as general, to protect his soldiers. These things filled the consul with compassion, but the situation of affairs obliged him to seek for pretexts to put it off; for not only Appius, but the whole body of the patricians opposed him with all their might. And thus, by endeavouring to manage both parties, he neither escaped the odium of the people, nor gained the favour of the senate. The Fathers looked upon him as a weak ambitious man, and the people considered him as a rogue. And it soon appeared that he was as odious to them, as Appias himself. A dispute had happened between the consuls about the dedication of a temple to Mercury. The senate referred the affair to the people, and ordained that whoever of them should be chosen to dedicate the same, he should have the care of furnishing the city with provisions, establish a company of \* merchants, and perform the functions of a pontifex maximus within the verge of that temple. The people gave the dedication of it to M. Lætorius the first † centurion of a legion, that it might plainly appear to every body, that they did not intend so much to do him honour, by conferring on him an office above his rank, as to affront the consuls. Upon this the Fathers and Servilius the other consul were provoked to the highest degree. But the people took courage, and proceeded in a manner

\* Mercury, who was thought by the Pagans to be the god of commerce, was as it were the patron of this society. For this reason Tully calls merchants *mercuriales*.

† The first centurion, according to Vegetius, b. 2. not only had the eagle of the legion in his company, but had likewise the command of four centuries, i. e. 400 men. The other centurions in the legion were his subalterns.

quite

quite different from what they had at first intended. For when they despaired of obtaining redress of their grievances from the consuls and senate, upon seeing a debtor arrested, they flew from all quarters to his relief. They set up such shouts, and made such a clamour, that the consul's decree could not be heard, and after he had passed sentence, no body obeyed it. They did every thing by force and violence; and when any single debtor was arrested by several officers in presence of the consul, all the fear and danger of losing their liberty changed sides, and went from the debtors to the creditors. During these dissensions, the dread of the Sabine war alarmed them; and when a levy was decreed, no body listed themselves. Appius was inflamed with the most violent rage, and bitterly inveighed against the popular arts of his colleague, who by his silence, in complaisance to the people, betrayed the republic, and besides his not passing sentence against the debtors, had likewise neglected to raise the levies, after they had been voted by the senate. Yet he declared, that "the commonwealth was not entirely abandoned, nor the consular authority exposed to contempt. That he alone would support the majesty of the Fathers, and the dignity of his office." When the mob, emboldened by their daily licentiousness, stood round him, he commanded a noted ringleader of the sedition to be apprehended. As the lictors were carrying him off, he appealed to the people; but the consul knowing well what their judgment would be, would have over-ruled the appeal, had not his obstinacy with great difficulty been overcome, more by the counsel and authority of the leading men of the senate, than by the clamours of the people; so much resolution he had to bear the weight of their odium. The breach grew every day wider,

and they not only continued their daily clamours, but, which was far more dangerous, began to make a secession, and to hold secret meetings. At length the consulate of Servilius and Appius, both odious to the commons, expired: the former was beloved by neither party, the latter was highly esteemed by the Fathers.

CHAP. XXVIII. Then A. Virginius and T. Vetustius, began to act as consuls. Upon this the commons, uncertain how the consuls would be disposed, held nightly meetings, some of them upon the Esquiline, and others upon the Aventine hill, that they might not be surprised into any hasty resolutions when they should be assembled in the forum, or take their measures inconsiderately and without concert. The consuls, rightly judging these proceedings to be of dangerous tendency, laid the matter before the senate. But they could not prevail on them to take the affair regularly under their consideration; the motion was received so disorderly, and with such noise and indignation by the Fathers, who were enraged that the odium of putting the laws in execution, which belonged entirely to the consular office, should be thrown upon them. They cried out, "That if there were really any proper magistrates at Rome, there would be only one public council there. That the republic was now divided and split into a thousand senate-houses and assemblies, some of which were held on the Esquiline, others on the Aventine hill. That one man of resolution, for that was of more significance than a consul, such as Appius Claudius, would in a moment disperse these private meetings." The consuls, nettled at these reproaches, asked the senate what they should do, assuring them they would execute their decrees with the utmost vigour and dispatch.

patch. The senate immediately resolved that they should push on the levies briskly, the people being grown riotous through idlene s. The house breaking up, the consuls ascend their tribunals, and call over the names of the young men. When none of them made any answer, and the people standing round, as if they had been summoned to an assembly, declared, “ That the people could be no longer imposed on by the senate. They should never list one soldier, till the public faith was made good. That their liberty was to be restored, before arms were to be given them, that they might fight for their country and fellow-citizens, and not for arbitrary lords.” The consuls fully understood the orders they had received from the senate, but they saw none of those who had talked so big within the walls of the senate-house, present themselves to take any share with them in the public odium. They found also that they were like to have a hot dispute with the commons about it. Therefore, before they would have recourse to extremities, they thought it adviseable to consult the senate a second time. It was no sooner moved, but the younger senators flocked in a hurry round the chairs of the consuls, commanding them to abdicate the consulaté, and resign an office, which they had not courage to support.

CHAP. XXIX. Having sufficiently tried both ways, the consuls at length said, “ Conscript Fathers, that you may not pretend ignorance, there is a great mob assembled. We require that they who accuse us most severely of cowardice, would assist us in raising the levies. Since you advise violent measures, we shall proceed according to the resolution of the most intrepid amongst you.” Upon that they returned to their tribunals,

tribunals, and on purpose commanded one of the most factious of the people, who stood in their view, to be called upon by name. As he did not move, and the mob stood round him in a ring, to prevent his being seized, the consuls sent a lictor to lay hold of him. When the mob repulsed the officer, the Fathers, who were present, exclaimed against it as an intolerable insult, and ran in a hurry from their seats to assist him. But the multitude having only hindered the lictor from seizing the man, then turned their resentment against the senators; but the riot was quelled by the interposition of the consuls. And as no stones or darts were thrown in the scuffle, there was more noise and angry words, than mischief done. The senate was called in great disorder, and the affair laid before them in greater. Such as had been repulsed, called out for a question, and the most violent members declared their sentiments no less by their clamours and noise than by their votes. At length, when their passion subsided, and the consuls had upbraided them with their conduct, by telling them that the same frenzy prevailed in the senate as in the forum, the house began to return to order. There were three different opinions offered: P. Virginius proposed, "That the act of grace should not comprehend all the debtors, but should extend only to those, who, relying on the promise of P. Servilius the consul, had served in the war against the Aurunci and Sabines." Titus Larcius was of opinion, "That it was not now a proper time to reward services only: all the people were drowned in debt; and that a stop could not be put to these disorders, if there was not a general release. And that if all of them were not to be included in the same conditions, the divisions would rather be inflamed than composed."

" sed." Appius Claudius, naturally severe, and, by the hatred of the commons and praises of the Fathers, become quite intractable, said, " That these audacious riots proceeded from licentiousness, and not from any real grievances. That the people were wanton, and not oppressed. That this terrible mischief took its rise from the law which allowed appeals to them : since the consuls could only threaten, but had really no authority, while offenders might appeal from them to those who were associates in the crime. Come," added he, " let us create a dictator from whom there lies no appeal, and this flame, which hath set every thing on fire, shall immediately be extinguished. Let any one dare then to beat a lictor, when he shall know that his back, and even his life, are in the power of that person whose authority he has affronted."

CHAP. XXX. Many thought Appius's opinion, as it really was, too severe and violent. On the other hand, that of Virginius and Lartius opened a way for dangerous precedents ; especially that of the latter, which they thought would ruin all manner of credit. The opinion of Virginius was reckoned more moderate, and a happy medium between the other two. But by force of party-spirit and self-interest, which always have and will eternally obstruct every design that is calculated for the public good, Appius had a majority of his side, and was near being created dictator : which step would certainly have alienated the commons at this dangerous juncture, when the Volsci, the *Æqui\**, and the Sabines happened to be all in arms

\* The *Æqui* were a people of Latium, situated between the Sabines, the Marsi, the Hernici, and the Latins. Virgil calls them *Æquicole*; Ptolemy, *Æquiculi*; and Pliny, *Æquiculani*. They inhabited a part of the Campagna di Roma round about Sublaco and the Teverone.

at the same time. But the consuls and the oldest of the senators took care to commit this office, which was of itself unlimited, to a moderate man; for they chose Manius Valerius, the son of Volenus, dictator. The people, though they saw that this magistrate was created to keep them in subjection, yet, as they had got the right of appeal by his brother's law, dreaded nothing oppressive or tyrannical from that family. Their hopes were afterwards confirmed by an edict of the dictator's, which was almost the same with that published by the consul Servilius. But they judged it safer to confide in him, and in the absolute power with which he was vested; and therefore they listed themselves without any opposition. Ten legions were levied, which was a greater army than had ever been raised before. Each of the consuls had three legions assigned him, and the dictator commanded four. Nor could the war be staved off any longer; for the *Aequi* had made incursions upon the lands of the Latins, whose deputies begged the senate either to send them assistance, or to allow them to arm in their own defence. It seemed more adviseable to send forces to protect them, than to allow them to defend themselves by putting arms again into their own hands. Wherefore Vetusius the consul was sent to their assistance; which immediately put a stop to the devastations of the enemy, who retired from the champaign country, and depending more on the advantage of the ground, than on the strength of their arms, secured themselves by keeping on the tops of the mountains. The other consul marched against the *Volsci*, and being unwilling to waste time, by ravaging their lands without mercy, challenged the enemy to pitch their camp nigh to his, and to come to an action. Both armies stood in battalia before their lines in a plain between the two camps.

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CHAP. XXVII. After the defeat of the Aurunci, the people of Rome, who had finished so many wars successfully in a few days, expected that the senate and the consul would perform their promises. But Appius, both through his natural pride, and a design to make void the engagements of his colleague, put in execution the laws against those who had borrowed money, with the utmost rigour. And from this time, those who had been in the prisons of their creditors, were delivered up to them again, and others also were put into their hands. When this happened to a soldier, he applied to Servilius for assistance, and every body ran to him for relief. They represented to him the promises he had made, and all of them upbraided him with the services they had done in war, and shewed him the scars of the wounds

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them with his cavalry; for by extending their wings too far, they had not made their ranks close enough in the centre. The foot fell upon them in this confusion, their camp was taken, and the war ended at one blow. This was the most memorable battle since the action at the lake Regillus; and the dictator entered the city in triumph. Besides the usual honours, a distinguished place with a curule chair was allotted to him and his descendants, at the celebration of the public games in the Circus. The lands of Velitrae were taken from the conquered Volsci, and a colony sent from Rome thither. Soon after there was an engagement with the Aequi, contrary indeed to the inclinations of the consul, because it was difficult to come at the enemy, who were very advantageously posted: but the soldiers complaining that the war was on purpose spun out, that the time of the dictator's authority might expire before they returned home to the city, and so his promises might be rendered ineffectual, as those of Servilius had been, forced him rashly to march his army up the hill. This imprudent step, by the cowardice of the enemy, was crowned with success; for before the Romans came within reach of a dart, the Aequi, quite amazed at their bravery, abandoned their camp, which was situated in a very strong place, and ran down into the valleys that lay behind them. In it abundance of booty was found, and the victory was gained without any bloodshed. After all these brave exploits, and three different wars successfully ended, both the Fathers and the people were extremely solicitous about the event of their domestic disputes. But the usurers had beforehand so concerted their measures, that, by their interest and artful management, they not only baulked the people of their hopes, but even the dictator himself. For Valerius, after the return of the consul Vetusius, before he proceeded

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CHAP. XXVII. After the defeat of the Aurunci, the people of Rome, who had finished so many wars successfully in a few days, expected that the senate and the consul would perform their promises. But Appius, both through his natural pride, and a design to make void the engagements of his colleague, put in execution the laws against those who had borrowed money, with the utmost rigour. And from this time, those who had been in the prisons of their creditors, were delivered up to them again, and others also were put into their hands. When this happened to a soldier, he applied to Servilius for assistance, and every body ran to him for relief. They represented to him the promises he had made, and all of them upbraided him with the services they had done in war, and shewed him the scars of the wounds

\* The Aurunci possessed that part of Italy which reaches from Terra di Lavoro, beyond the Carigliano or the Liris. The capital of this nation was situated almost in the neighbourhood of the cities of Fundi and Castra.

they had received. They loudly called up to lay the matter before the senate, and caused him, as he was consul, to relieve his fellow citizens, and, as general, to protect himself. These things filled the consul with compunction; but the situation of affairs obliged him to find pretexts to put it off; for not only Appius, but the whole body of the patricians opposed him by their might. And thus, by endeavouring to manage both parties, he neither escaped the displeasure of the people, nor gained the favour of the Fathers. The Fathers looked upon him as a weak and vicious man, and the people considered him a rogue. And it soon appeared that he was odious to them, as Appius himself. A dispute happened between the consuls about the dedication of a temple to Mercury. The senate referred the affair to the people, and ordained that who among them should be chosen to dedicate the temple, he should have the care of furnishing the city with provisions, establish a company of \* merchants, and perform the functions of a pontifex major within the verge of that temple. The people gave the dedication of it to M. Lætorius the first centurion of a legion, that it might appear to every body, that they did not do so much to him honour, by conferring such an office above his rank, as to affront the centurions. Upon this the Fathers and Servilius the other consul were provoked to the highest degree. But the people took courage, and proceeded in a n

\* Mercury, who was thought by the Pagans to be the god of commerce, was as it were the patron of this society. Tully calls merchants *mercuriales*.

† The first centurion, according to Vegetius, b. 2. not the eagle of the legion in his company, but had likewise command of four centuries, i. e. 400 men. The other centurions of the legion were his subalterns.

quite different from what they had at first intended. For when they despaired of obtaining redress of their grievances from the consuls and senate, upon seeing a debtor arrested, they flew from all quarters to his relief. They set up such shouts, and made such a clamour, that the consul's decree could not be heard, and after he had passed sentence, no body obeyed it. They did every thing by force and violence ; and when any single debtor was arrested by several officers in presence of the consul, all the fear and danger of losing their liberty changed sides, and went from the debtors to the creditors. During these dissensions, the dread of the Sabine war alarmed them ; and when a levy was decreed, no body listed themselves. Appius was inflamed with the most violent rage, and bitterly inveighed against the popular arts of his colleague, who by his silence, in complaisance to the people, betrayed the republic, and besides his not passing sentence against the debtors, had likewise neglected to raise the levies, after they had been voted by the senate. Yet he declared, that " the commonwealth was not entirely abandoned, nor the consular authority exposed to contempt. That he alone would support the majesty of the Fathers, and the dignity of his office." When the mob, emboldened by their daily licentiousness, stood round him, he commanded a noted ringleader of the sedition to be apprehended. As the lictors were carrying him off, he appealed to the people ; but the consul knowing well what their judgment would be, would have over-ruled the appeal, had not his obstinacy with great difficulty been overcome, more by the counsel and authority of the leading men of the senate, than by the clamours of the people ; much resolution he had to bear the weight of their odium. The breach grew every day wider,

make a secession, and to hold secret meetings, which was far more dangerous, At length the consulate of Servilius and A both odious to the commons, expired : the former was beloved by neither party, the latter highly esteemed by the Fathers..

CHAP. XXVIII. Then A. Virginius a Vetusius, began to act as consuls. Upon the commons, uncertain how the consuls should be disposed, held nightly meetings, some of them upon the Esquiline, and others upon the Aventine hill, that they might not be surprised into hasty resolutions when they should be assembled in the forum, or take their measures inconsistently and without concert. The consuls, regarding these proceedings to be of dangerous tendency, laid the matter before the senate. But they did not prevail on them to take the affair regular under their consideration ; the motion was received disorderly, and with such noise and indignation that the Fathers, who were enraged that the odious laws were being put into execution, which belonged entirely to the consular office, should be thrown into them. They cried out, " That if there were really any proper magistrates at Rome, there would be only one public council there. The republic was now divided and split into thousand senate-houses and assemblies, some of which were held on the Esquiline, others on the Aventine hill. That one man of resolution, that was of more significance than a consul like Appius Claudius, would in a moment crush these private meetings." The consuls, notwithstanding these reproaches, asked the senate what they should do, assuring them they would enforce their decrees with the utmost vigour and

patch. The senate immediately resolved that they should push on the levies briskly, the people being grown riotous through idlene s. The house breaking up, the consuls ascend their tribunals, and call over the names of the young men. When none of them made any answer, and the people standing round, as if they had been summoned to an assembly, declared, “ That the people could be no longer imposed on by the senate. They should never lift one soldier, till the public faith was made good. That their liberty was to be restored, before arms were to be given them, that they might fight for their country and fellow-citizens, and not for arbitrary lords.” The consuls fully understood the orders they had received from the senate, but they saw none of those who had talked so big within the walls of the senate-house, present themselves to take any share with them in the public odium. They found also that they were like to have a hot dispute with the commons about it. Therefore, before they would have recourse to extremities, they thought it adviseable to consult the senate a second time. It was no sooner moved, but the younger senators flocked in a hurry round the chairs of the consuls, commanding them to abdicate the consulate, and resign an office, which they had not courage to support.

CHAP. XXIX. Having sufficiently tried both ways, the consuls at length said, “ Conscript Fathers, that you may not pretend ignorance, there is a great mob assembled. We require that they who accuse us most severely of cowardice, would assist us in raising the levies. Since you advise violent measures, we shall proceed according to the resolution of the most intrepid amongst you.” Upon that they returned to their tribunals,

from their seats to assist him. But the multitude having only hindered the lictor from seizing man, then turned their resentment against the rioters; but the riot was quelled by the intervention of the consuls. And as no stones or were thrown in the scuffle, there was more and angry words, than mischief done. The house was called in great disorder, and the affair increased them in greater. Such as had been recalled out for a question, and the most members declared their sentiments no less by clamours and noise than by their votes. At length when their passion subsided, and the consuls rebuked them with their conduct, by them that the same frenzy prevailed in the scene in the forum, the house began to return to order. There were three different opinions offered. Virginius proposed, "That the act of grace does not comprehend all the debtors, but should tend only to those, who, relying on the protection of P. Servilius the consul, had served in the war against the Aurunci and Sabines." Titus Livius of opinion, "That it was not now

Appius Claudius, naturally severe, and, tired of the commons and praises of the become quite intractable, said, “ That audacious riots proceeded from licentious- and not from any real grievances. That ople were wanton, and not oppressed. his terrible mischief took its rise from the which allowed appeals to them : since the could only threaten, but had really no ity, while offenders might appeal from o those who were associates in the crime. ” added he, “ let us create a dictator from there lies no appeal, and this flame, hath set every thing on fire, shall imme- be extinguished. Let any one dare then t a lictor, when he shall know that his and even his life, are in the power of erson whose authority he has affronted.”

XXX. Many thought Appius’s opinion, y was, too severe and violent. On the d, that of Virginius and Lartius opened dangerous precedents ; especially that of which they thought would ruin all man- edit. The opinion of Virginius was rec- ore moderate, and a happy medium be- other two. But by force of party-spirit iterest, which always have and will eter- struct every design that is calculated for good, Appius had a majority of his side, near being created dictator : which step rtainly have alienated the commons at erous juncture, when the Volsci, the nd the Sabines happened to be all in arms

qui were a people of Latium, situated between the Sa- ius, the Hernici, and the Latins. Virgil calls them A- elmy, Aequiculi ; and Pliny, Aequiculani. They in- of the Campagna di Roma round about Sublaco and

tyrannical from that family. Their h afterwards confirmed by an edict of the which was almost the same with that pu the consul Servilius. But they judged confide in him, and in the absolute p which he was vested; and therefore t themselves without any opposition. T were levied, which was a greater army ever been raised before. Each of the co three legions assigned him, and the dict commanded four. Nor could the war be : any longer ; for the Aequi had made i upon the lands of the Latins, whose dep ged the senate either to send them assista allow them to arm in their own defence. ed more adviseable to send forces to prot than to allow them to defend themselves t arms again into their own hands. V Veturius the consul was sent to their a which immediately put a stop to the de of the enemy, who retired from the c the command then on the strength of th

'olsci were somewhat superior in number, made them despise the enemy, and run forward in a loose disorderly manner, to charge them. Roman consul neither made his men advance, suffered them to return the enemy's shouts : bade them to stand still with their spears in the ground, and when the enemy came draw their swords, and fall upon them with all force. The Volsci being spent with running and shouting, set upon the Romans as if they were quite dispirited through fear ; but when, contrary to their expectations, they found they easily returned their charge, and saw their glittering before their face, they turned back in great disorder, as if they had fallen into an ambuscade. But their strength was soon spent with running to engage the enemy, that they were not able to fly. The Romans on the other hand as they had not stirred from their ground in beginning of the action, being fresh and vigorous, immediately overtook the Volsci, who were quite spent and weary. They took their by assault ; and after driving them thence, led them to \* Velitræ, into which the conquerors entered at the same time. By promiscuous slaughter which was here made of the Volsci, there was more blood spilt than in the battle of Cannæ.

A small number of them who threw down their arms and surrendered, had quarter given them.

AP. XXXI. During these transactions against the Volsci, the dictator was employed against the Sabines, where by far the greatest stress of war lay. Them he routed and pursued to their camp, which he likewise took. He had

the main body of their army, by charging

ancient city of the Volsci, now Velletri,

them

them with his cavalry; for by extending wings too far, they had not made their rank enough in the centre. The foot fell upon in this confusion, their camp was taken, a war ended at one blow. This was the most noble battle since the action at the lake Regillæ the dictator entered the city in triumph. the usual honours, a distinguished place curule chair was allotted to him and his descendants at the celebration of the public games in the circus. The lands of Velitræ were taken from conquered Volsci, and a colony sent from Rome rather. Soon after there was an engagement with the Aequi, contrary indeed to the inclinations of the consul, because it was difficult to come at the enemy who were very advantageously posted: but the consul complaining that the war was on purpose suspended that the time of the dictator's authority might expire before they returned home to the city, his promises might be rendered ineffectual, a consul of Servilius had been, forced him rashly to lead his army up the hill. This imprudent step, a cowardice of the enemy, was crowned with success; for before the Romans came within range of a dart, the Aequi, quite amazed at their boldness, abandoned their camp, which was situate in a very strong place, and ran down into the hollow that lay behind them. In its abundance of fruit was found, and the victory was gained without bloodshed. After all these brave exploits, and different wars successfully ended, both the Senate and the people were extremely solicitous about the event of their domestic disputes. But the dictator had beforehand so concerted their measures, by their interest and artful management, that he only baulked the people of their hopes, but not the dictator himself. For Valerius, after the turn of the consul Vetusius, before he pro-

to any other business, made a motion in favour of the victorious commons, and proposed a bill for the relief of insolvent debtors. But his motion being rejected, "I find," says he, "that I offend you by advising peaceable measures. By Hercules, you will soon wish that the Roman people had patrons like me. As for myself, I will not any longer deceive my fellow-citizens, nor will I bear the office of dictator in vain. intestine broils and foreign wars made this office necessary for the preservation of the state. Peace is procured abroad, but at home is obstructed. I shall chuse rather to be a spectator of these dissensions, in a private station, than to be concerned in them as dictator." Upon this he went out of the house, and abdicated his authority. The plebeians understood the reason, and hat he had resigned his office, out of indignation, nd pity for their condition. Wherefore, as he had one his utmost to serve them, they conducted him home with loud shouts and acclamations, as he had actually discharged his promise.

CHAP. XXXII. Upon his resignation the senate were afraid, that if the army should be disbanded, the commons would again begin to hold secret meetings and form plots. For this reason, though the levies had been made by the dictator, because the legions had taken the oath \* to the consuls, they thought they were still bound to obey them, and on pretence that the Aequi had renewed the war, ordered them to be led out of

\* The military oath was so essential in enlisting men, that no man could serve in the army even as a volunteer, or kill an enemy, till he had bound himself by a solemn promise to obey the general. Tully tells us, *off. b. i.* that Cato wrote to Pompilius to inform him that his son could not continue in the army, without taking the military oath again; because the time of his former engagement was expired.

the city. This occasioned an immediate sedition. It is said, that the soldiers at first had some thoughts of killing the consuls to free themselves from their oath; but being informed that no criminal means could loose them from their obligation, by the advice of one Sicinius, without any orders from the consul, they withdrew to the Sacred ~~mountain~~, on the other side of the Anio, three miles from the city. This account is more universally believed than that of Piso, who says, they retired to the Aventine hill. Having fortified their camp with a moat and rampart, they continued quiet for several days without any general, and neither gave nor received any provocation, nor did they take any thing but what was necessary for their subsistence. The city was in the utmost consternation, and, through mutual fear of one another, both parties were unresolved what course to take. The commons who had been left in it by those of their party, dreaded the severity of the senators; who, on the other hand, not knowing whether the commons would chuse to stay or go, were equally afraid of them. They asked one another how long the seceders would remain quiet; what would be the consequence, if any foreign war should break out in the mean time? They owned, that there were really no hopes of saving the state, but by reuniting it; and for that reason

\* This mountain lay beyond the Teverone, three miles from Rome, on the Nomantine way, between Sabinia and Latium, in the place where Castello di San Silvestro now stands. There are several reasons assigned, why it was called *Mons Sacer*. Some say it was so named, because it became execrable by the revolt of the people. But this seems to be a forced interpretation, and not agreeable to the history. Others say, that it was so called, because the people, after they were reconciled to the patricians, erected an altar upon it to Jupiter Faunus, as a monument of their reunion. But perhaps it was so called, because that sacred law was here made which gave rise to the tribunes of the people, and made their persons inviolable,

the people were to be reconciled, and made their friends at any rate. In pursuance of this resolution, they agreed to send as a deputy to them Menenius Agrippa, who was a good speaker, and beloved by the commons, as being born of a plebeian family. When he was admitted into the camp, he is said to have told only the following fable, in that rough and unpolished manner which was usual among the ancients. “ On a time, “ when the members of the human body were not “ united under the same head, but had each of “ them a distinct understanding and language, “ the other parts were offended that they should “ undergo so much toil, labour, and drudgery for “ the sake of the belly; which, being placed in “ the midst of them, indulged its ease, and did no- “ thing but enjoy the pleasures which they pro- “ cured for it. Upon this they conspired that “ the hand should not carry the meat to the “ mouth, nor the mouth receive what was “ brought to it, nor the teeth chew it. That “ while they through resentment designed to starve “ the belly, these very members and the whole “ body languished away. That upon this it ap- “ peared that the belly was of no small service, “ and nourished the other parts no less, than it “ was nourished by them; and that, after digest- “ ing the food, it conveyed to all the parts of the “ body, by means of the veins, that blood duly “ prepared by which we live and are preserved in “ vigour.” By comparing this intestine sedition among the members of the human body, with the resentment of the people against the senate, he is said to have softened their minds.

CHAP. XXXIII. Then they began to treat about a reconciliation, and, among other conditions, the people were allowed to have proper magistrates

gistrates of their own, whose persons were to be sacred, and who were to protect them against the power of the consuls. The senators were likewise declared incapable of being elected into that office. Upon this, two tribunes\* of the people were created, who were C. Licinius and L. Albinus, and they chose three colleagues for themselves. Sicinius, the ringleader of the mutiny, is said to have been one of them; but historians are not agreed about the other two. Some of them say, that there were only two tribunes elected on the Sacred mountain, and that the law †, whereby their

\* The authority of the tribunes was very extraordinary: for, though at first they pretended only to be a sort of protectors of the commons, and redressers of public grievances, yet afterwards they usurped the power of doing almost whatever they pleased, having the whole populace to back and secure them: and therefore they assembled the people, preferred laws, made decrees, and executed them upon the magistrates themselves; and sometimes commanded the very consuls to be carried to prison: and were, without question, the authors of far greater animosities between the nobles and commons, than they were at first created to appease.

That which gained them the greatest security, was their repute of being *sacerdatis*, which they confirmed by a law: so that it was reckoned the highest act of impiety to offer them the least injury, or so much as to interrupt them when they were speaking. Their interrupting in matters determined by the senate, or other magistrates, was called *interfere*, and was performed by standing up, and pronouncing only one word, *VATO*.

As for the ensigns of their office, they had no *prætexta*, lictors, nor curule chair; and only a sort of a beadle, whom they called *cicer*, went before them.

Sylla the dictator was the first who dared put a stop to the encroachments of the tribunes; but they soon recovered their old power again, till the time of the emperors, who left them very little but the name and shadow of magistrates: this they effected, as by several means, so particularly by obliging the people to confer the same power and authority on themselves: whence they were said to be *tribunalia potestate civitatis*: for they could not be directly *mores*, unless their family had been *familia*.

† The law, whereby the persons of the tribunes was made sacred, i. e. inviolable, ran thus: Let the tribune of the people be exempt from all the servile offices imposed on the citizens. Let none of them be laid upon him, but by his own consent. Let no one strike him, or cause another to strike. If any offend in this,

their persons were made sacred, was enacted there. During the secession of the commons, Sp. Cassius and Postumus Cominius begun their consulate; and this year a treaty was concluded with the Latin nations. One of them staid at Rome to ratify it; and the other, being sent against the Volsci, routed the Antiates, drove them into the town Longula\*, and made himself master of it. Then he took Polusca †, another city belonging to them, and after that laid close siege to Corioli ‡. There was at that time in the camp, among the young noblemen, one C. Marcius, a youth of abilities and personal bravery, who was afterwards surnamed Coriolanus. While the Roman army was engaged in the siege of Corioli, and wholly intent upon the motions of the townsmen pent up in the city, under no apprehension of any enemy from without, the legions of the Volsci marching from Antium, fell suddenly upon them, and the besieged made a sally from the town at the same time: Marcius happened to be then on guard. He, at the head of a choice body of men, not only repulsed those who fellied from the town, but furiously rushed in at a gate which they had opened, and having put to the sword everybody that he met with in the nearest part of the city, he hastily snatched up some fire, and threw it upon the buildings that overlooked the wall. The cries of the townsmen, and the shrieks of the women and children, upon the breaking out of the flames, encouraged the Romans, and disheartened the

let him be execrable, and his goods appropriated to the worship of Ceres. If any one kills him, any person that will may kill the murderer with impunity.

\* See below, note on Corioli.

† Ibid.

‡ There are no traces of this city now remaining. We only know that it was near the Pontinus iacus, not far from Longula and Polusca, formerly two considerable cities in the country of the Volsci, whose situation is not exactly known.

Volsci, who found the city taken which they had come to relieve. Thus they put the Volsci to flight, and made themselves masters of Corioli at the same time. And so much was the reputation of the consul eclipsed by the gallant behaviour of Marcius, that if the treaty made with the Latins by Sp. Cassius alone, in the absence of his colleague, and engraven on a pillar of brass, had not been a lasting proof that Postumus Cominius commanded in the war against the Volsci, his concern in that expedition would have been quite forgotten. This year Menenius Agrippa died, a man who had been all his life beloved both by the senate and people, but much dearer to the latter after their secession. And though he had been a mediator between his fellow-citizens, and the decision of their disputes had been referred to him, though the senate had sent him as their delegate to the commons, and though he had brought them back into the city, yet he had not where-withal to defray the expenses of his funeral. He was buried at the charge of the people, who for that purpose assessed themselves, each in the sixth part of an ass \*.

CHAP. XXXIV. T. Geganius and P. Minucius were elected consuls for the following year. And though the state was disturbed by no foreign enemy, and all domestic troubles were composed, it was distressed by a calamity more grievous than either. During the secession of the commons, the tillage of the lands had been neglected, and this made provisions at first dear; this scarcity was followed by a famine as severe as if the city had been besieged. It must certainly have ended in the destruction of the slaves, and even of the commons, had not the

\* The Roman ass was in value three farthings one tenth English money.  
consuls

consuls taken care to relieve them by dispatching persons to all the countries round to buy up corn. The violent hatred of their neighbours obliged them thus to seek relief from these remote countries. After they had bought some corn at Cumæ, Aristodemus the tyrant, heir to the Tarquins, seized their ships by way of reprisal for their effects, which the Romans had detained. They could buy no corn among the Volsci, and in the country of Pomptinus \*, the purveyors were even in danger of being insulted by the inhabitants. However some was brought down the Tiber from Tuscany to supply the present wants of the common people. During this scarcity of provisions, they had been distressed with a dangerous war, if a terrible plague had not broke out among the Volsci, when they were just preparing to begin hostilities. The enemy were so much dejected with this calamity, that, even after the violence of it was over, they were not quite recovered from their fright ; and the Romans increased their colony at Velitræ, and sent a new one into the mountains of Norba †, which might serve as a fort in Pomptinus. After that, in the consulship of M. Minucius and A. Sempronius, a great quantity of corn was imported from Sicily ; and there was a debate in the senate, concerning the price at which it

\* This country was so called from the Pontine lake. It lay in that part of Latium which is bounded on the east, partly by the rivers Ufens and Amasinus, and partly by the city of Anxur or Terracina ; on the south by the Tyrrhenian sea, and the promontory of Circæum ; on the west by the river Astura ; and on the north by the cities of Norba and Setia. Before this part of Latium was drowned by the overflows of the Nymphaeus, the Amasea, the Astura, and the Ufens, it was thought the garden of Italy both for pleasure and fertility. Pliny, b. 3. chap. 5. says there were twenty-three cities in it, which are supposed to have been swallowed up by inundations, or overturned by earthquakes.

† Norba in Latium stood upon an hill where the Nymphaeus rises. The natives call it *Norma* to this day.

should.

should be sold to the people. Many were of opinion, that the time was now come for oppressing the commons, and recovering those rights which they had extorted from the senate by their secession and violence. Among the zealous sticklers for this opinion, was Marcus Coriolanus, a declared enemy to the power of the tribunes. " If the people desire to have corn at the old price," says he, " let them restore to the Fathers their ancient privileges. Why should I, as if I had been put under the yoke, and ransomed from robbers, see these plebeian magistrates? why do I see Sicinius invested with power and authority? Why should I bear these insults longer than it is necessary? Shall I, who would not have endured king Tarquin, suffer Sicinius? Let him secede and draw the people after him: the way is open to the Sacred mountain, and to other hills. Let them take our corn by force out of the fields, as they did three years ago. Let them now enjoy and reap the benefit of that scarcity, which they have occasioned by their own madness. I dare affirm, that they are so effectually tamed by this calamity, that they will rather apply themselves to the tillage of the lands, than endeavour for the future to prevent it, by taking up arms a second time, and making a new secession." It is not so easy to judge, whether this method ought to have been taken, as to be convinced it was in the power of the senate, who, upon condition of lowering the markets, might have delivered themselves from the tribunician power, and all the other laws that had been imposed upon them.

CHAP. XXXV. This speech appeared to the senate too severe, and did so exasperate the commons, that they had like to have taken up arms. They

They said, “ they were distressed by famine, as if  
“ they were enemies, and defrauded even of vic-  
“ tuals and the necessaries of life. That foreign  
“ corn, the only food they had to depend on, and  
“ which fortune had sent them unexpectedly, must  
“ be snatched out of their mouths, unless the tri-  
“ bunes were delivered up to C. Marcius bound;  
“ and unless he was allowed to wreak his cruelty on  
“ the backs of the commons of Rome. That he  
“ was started up to be a new executioner, who  
“ would oblige them either to die, or become  
“ slaves.” The mob would have fallen upon him  
as he went from the house, if the tribunes had not  
very seasonably appointed him a day to take his  
trial. This allayed the violence of their fury.  
Every one saw himself judge and master of the life  
and death of his enemy. Marcius at first heard  
with contempt the threats of the tribunes; he said,  
that they had a power of granting relief to the dis-  
tressed, but no authority of inflicting punishments,  
and that they were the tribunes of the commons,  
and not of the Fathers. But the people were in such  
a ferment, that the senators were obliged to put them-  
selves out of danger, by giving up one of their body  
to be punished. Nevertheless they opposed his con-  
demnation with the utmost zeal, and every one of  
them exerted his utmost interest, both in a public and  
private capacity, to save him. And first they tried  
if it was possible to dissipate the storm, by disposing  
his clients in such a manner, as to deter the people,  
one by one from coming to their meetings and cab-  
bals. Then all the senate went in procession  
with such marks of sorrow and concern, that one  
would have thought they had all been arraigned,  
and, with the most pressing instances, begged the  
people, that if they would not acquit him on ac-  
count of his innocence, they would, at their inter-  
cession, forgive one fellow-citizen, one senator,

ever

even if he should be found guilty. But as he did not appear on the day appointed for his trial, they persisted in their resentment against him. Being condemned in his absence, he went into exile among the Volsci, breathing revenge against his country, and even carrying with him his hostile intentions. At his coming, the Volsci received him kindly, and their civilities to him increased daily in proportion as his resentment against his native country appeared, and as they observed him often to complain and threaten vengeance against it. He was entertained by Attius Tullus, who was by far the most considerable man among the Volsci, and had always bore an aversion to the Romans. As the one was prompted by hatred of a long standing, and the other spurred on by fresh resentment, they consulted together about making war upon them. They believed it would be no easy matter to engage the Volsci to take up arms, which they had so often tried with very bad success. They considered that their spirits were broke by the frequent wars they had been engaged in, and more especially on account of the great number of their young men whom the late plague had swept off; and as the hatred between the two nations was worn out by length of time, they judged that some stratagem and address would be necessary, in order to inflame their minds by some fresh indignity.

CHAP. XXXVI. It happened that they were preparing to renew the great games at Rome, which was done for the following reason. During the celebration of them, one morning before the shews begun, a certain master had obliged his slave to carry a cross, and whipt him through the middle of the circus \*. Nevertheless the games

\* Among the Romans it is agreed, that the cross was the punishment

games were begun, as if there had been nothing ominous in this matter. Not long after, one Ti. Atinius, a commoner, had a dream in which he imagined Jupiter told him, “ That the person “ who had danced before the sports began, had “ displeased him ; and unless the games were re-“ newed with the utmost magnificence, the city “ would be in danger. That he should go and “ inform the consuls of these things.” Though he had some scruples of conscience about it, yet he was so ashamed to approach the majesty of the consuls with a story that might expose him to the ridicule of every body, that this passion got the better of his fear. This delay cost him dear, for he lost his son within a few days. And that he might not be long in the dark about

punishment for slaves : and Juvenal says it expressly in these words :

*Pone crucem serva. Meruit quo crimine servus  
Supplicium?*

Yet the masters were not allowed to crucify their slaves by their own authority. At Rome the magistrates, who were called the *triumviri capitales*, condemned the slaves. In the provinces this right belonged to the presidents, such as was Pontius Pilate at Jerusalem. The crois and the furca are commonly taken for the same thing in authors ; though, properly speaking, there was a great difference between them. The *furca* is divided by Lipsius into *ignominijsa* and *paenalis* : the former Plutarch describes to be that piece of wood which supports the thill of a waggon : he adds, that it was one of the greatest penances for a servant who had offended, to take this upon his shoulders and carry it about the neighbourhood ; for whoever was seen with this infamous burden, had no longer any credit or trust among those who knew it, but was called *furcifer* or rogue, by way of ignominy and reproach. *Furca paenalis* was a piece of wood much of the same shape as the former, which was fastened about the convicted person's neck, he being generally either scourged to death under it, or lifted up by it upon the crois. Lipsius makes it the same with the *patibulum* ; and fancies, that, for all the name, it might not be a forked piece of timber, but rather a straight beam, to which the criminal's arms were fastened being stretched out upon it, and which being hoisted up at the place of execution, served for the transverse part of the crois.

the

the cause of this sudden calamity, which greatly afflicted him, the same vision presenting itself to him in his sleep, seemed to ask him several times, “ If he had not received a sufficient reward for slighting the deity ? a greater was ready, if he did not go quickly and tell the consuls.” This made a stronger impression upon him than the first : but while he demurred about it, and put it off, he was seized with a violent distemper, attended with extreme weakness. Then indeed the wrath of the gods roused him : for being tired out with his past calamities and present sufferings, after advising with his nearest relations, and informing them what he had heard and seen, how Jupiter had often appeared to him in a dream, and how severely he had felt the threats and wrath of the gods in the misfortunes that had befallen him ; by the unanimous consent of all present, he was carried out into the Forum, to the consuls, in a litter. He was conveyed thence into the senate-house by their order, and after he had told the same things there, to the great surprise of all present, another prodigy happened ; for it is reported, that this man, who was carried thither deprived of the use of all his limbs, walked home again upon his legs.

CHAP. XXXVII. The senate decreed, that the games should be celebrated with the utmost magnificence. By the persuasion of Attius Tullus, a great number of the Volsci came to see them. Before the shews were begun, Tullus, as he had concerted with Marcius at his own house, came to the consuls, and intimated, that he wanted to communicate to them, in private, some things which concerned the public tranquillity. When they were alone by themselves, he addressed them as follows : “ It is with the utmost reluctance that

“ I would say any thing of my countrymen which  
“ may seem harsh. I do not come to charge  
“ them with any crime they have as yet commit-  
“ ted, but to warn you to be on your guard a-  
“ gainst them for the future. The tempers of  
“ our people are more fickle than I could wish  
“ them. This we have severely felt by our many  
“ defeats; since it is owing to your patience, and  
“ not to our deserts, that we now remain a  
“ people. There are at this time in Rome a  
“ great number of the Volsci. The games will  
“ soon begin, and the citizens will be intent upon  
“ the shews. I remember well what was com-  
“ mitted by the Sabine youth on a like occasion  
“ in this city. I tremble for fear our people  
“ should rashly and unadvisedly raise any disturb-  
“ ance. I thought it proper to say this much  
“ to you, Consuls, both on our account and  
“ yours. As for myself, I intend to return home  
“ immediately, lest by remaining on the spot I  
“ should be witness to any unbecoming actions or  
“ abusive words.” Upon this he departed. Af-  
“ ter the consuls had laid before the senate this in-  
“ formation, which looked indeed a little suspicious,  
“ and produced their author, his credit, more than  
“ the nature of the information, induced them to  
“ take some unnecessary precautions: for the senate  
“ having made a decree, that the Volsci should de-  
“ part out of the city, the public criers were com-  
“ manded immediately to order them to be gone be-  
“ fore night. At first, as they run to their lodgings  
“ in different parts of the city to fetch their things,  
“ they were under a terrible panic. But when they  
“ were upon the road, their indignation was kin-  
“ dled, upon reflecting, that, like persons impious  
“ and unclean, they had been in holiday-time de-  
“ barred from beholding the games, and as it were  
“ driven from the communion of gods and men.

CHAP. XXXVIII. They returned almost in one continued body; and Tullus, who had gone before to the head of the spring of Ferentinum, met each of them as they came up, asked them questions, and expressed his displeasure at the indignity which had been offered to them; and as they listened attentively, fond of expressions which encouraged their resentment, he prevailed upon their chiefs, and by their means upon the whole multitude, to retire into a field below the road. There, as if they had been summoned to an assembly, after putting them in mind of the former injuries done them by the Roman people, and the losses the Volsci had suffered, he said,

“ Though you should forget all former wrongs,  
“ with what temper can you bear the affront put  
“ upon you to-day by that people, who have be-  
“ gun their games by branding us with open dis-  
“ grace? Are you not sensible that they have this  
“ day triumphed over you? that when you left  
“ that city, you was a spectacle to all its inhabi-  
“ tants, to all strangers in it, and to so many of  
“ your neighbours? that your wives and chil-  
“ dren were publicly disgraced? What do you  
“ suppose they thought, who heard the voice of  
“ the common crier? What was the opinion of  
“ those who saw you leaving the city? Or what  
“ were the sentiments of those who met this band  
“ loaded with reproach? What can they ima-  
“ gine, but that we are an impious crew, whose  
“ very presence would have polluted the solemn  
“ games, and that we had committed some  
“ great crime, for which expiation must be made,  
“ and, for this reason we are driven from the  
“ abode and habitation, even the fellowship and  
“ society of the godly? What! are you not con-  
“ vinced that our safety is owing to our hasty  
“ departure? if we may not rather be said to fly,  
“ than

" than to depart. Do not you look upon the inhabitants of that city to be your enemies, in which if you had tarried but one day, you must all have perished? War is declared against you; to the infallible ruin of those who have done it; if you are but men." Upon this the Volsci, who were before in a rage, were quite exasperated; and marching thence to their different homes, inflamed their countrymen to such a degree, that the whole Volscian nation revolted.

**CHAP. XXXIX.** The generals chosen for this war, by the unanimous consent of all the states, were Attius Tullus and C. Marcius the Roman exile, in whom they had the greatest hopes: nor were they disappointed in their hopes; that it might plainly appear, that the Roman state owed its superiority over its neighbours more to the abilities of its generals, than the bravery of its troops. Having marched to Circei \*, he first drove the Roman colony thence, and delivered to the Volsci the city which he had freed from the Roman yoke. Afterwards marching across the country backwards and forwards, he made himself master of the towns lying on each side the Latin road, Satricum, Longula, Polusca, and Corioli, which the Romans had lately conquered. Then he retook Lavinium, Corbio, Vitellia, Trebia, Labici, and Pedum. At last he led his army from Pedum towards Rome; and having pitched his camp at Cluilius's ditch, five miles from it, from thence plundered the Roman lands. He sent out guides with the pillagers to prevent pillaging the lands of the patricians, either because his resentment was chiefly levelled against the com-

\* A town of Campania in Italy, at the foot of Mount Circello on the sea-coast, now S. Felicita.

mons, or that he might raise dissension and jealousy between them and the Fathers. And this artifice indeed would have had the designed effect, so violently did the tribunes inflame the people, who were of themselves enraged against the chief men of the state; but the fear of enemies from abroad, the greatest bond of harmony at home, united them, however suspicious of, and incensed against one another. They only differed in this, that the consuls placed all their hopes in arms, and the commons chose to submit to any terms rather than risk a war. Sp. Nautius and Sex. Furius were consuls this year. While they were mustering the legions, and placing guards upon the walls, and in other places, where they thought it would be proper to have centinels and guards posted, a great number of persons bawling out for peace, first alarmed them with their seditious clamours. Then they obliged them to convene the senate, and to propose the sending a deputation to C. Marcius. The senate observing the courage of the commons begin to fail, agreed to the motion; and the deputies who were sent to Marcius, brought back this harsh answer, " That if they first restored the lands they had taken from the Volsci, they might then treat about a peace; but if they chose rather to sit at ease, and enjoy the conquests they had made in former wars, that he, who well remembered both the injuries done him by his countrymen, and the favours of the Volsci, would do his utmost to convince them, that his courage was not broken, but roused by his banishment." After this, the same persons were sent back, but they were not admitted into his camp. It is said, that the priests likewise, dressed in their robes, went to him in a suppliant manner to beg peace, and that they made no greater impression upon him, than the deputies had done.

CHAP. XL. Upon these disappointments, the ladies went in a body to Veturia the mother of Coriolanus, and to Volumnia his wife. Whether this expedient was tried by order of the senate, or was the effect of female fears, is not said. It is certain however they prevailed so far, that both Veturia, though of a great age, and Volumnia, taking her two sons with her, should go to the enemy's camp, and there endeavour by their tears and intreaties to save that city, which the men by arms could not defend. When they came to the camp, and notice was brought to Coriolanus, that a great number of women approached, as he had neither been moved with the majesty of a public deputation, nor with the sacred and venerable persons of the priests, when presented before him in the most affecting manner, so at first he was more obstinately resolved not to yield to the prayers of the women. But when one of his officers, who knew Veturia, distinguished among the crowd by the excess of her grief, standing between her daughter-in-law and her grandchildren, said to him, " If my eyes do not deceive me, here are your mother, your wife, and your children ; " Coriolanus, almost like one distracted, and stupefied, leaped from his tribunal, and ran to embrace his mother. The lady, instead of intreaties, bursting out into a passion : " Let me know," says she, " before I receive thy embrace, whether I am come to an enemy or to a son ? whether I am here thy captive or thy mother ? Hath my long life and unhappy old age been spun out for this end, first to see thee an exile, and then an enemy ? Hast thou been capable of ravaging the land which gave thee birth, and brought thee up ? Though resentment might push thee on to begin this war, and desire of revenge bring thee thus far, did not thy rage abate, when thou enteredst these territories ?

“ When thou camest within sight of Rome, did  
“ it not come into thy mind, within these walls  
“ are my house, household gods, my mother, my  
“ wife, and my children ? Had I then been child-  
“ less, Rome had not been besieged. Had I ne-  
“ ver born a son, I had died free in a free coun-  
“ try. But now I can suffer nothing that can  
“ either add to my misery or thy disgrace ; and  
“ though I be now very wretched, I cannot be  
“ long so. Consider what will be the fate of  
“ these infants, who, if you persevere, must ei-  
“ ther perish by an untimely death, or live in  
“ perpetual slavery.” Then his wife and chil-  
dren embraced him. The tears and groans of all  
the Roman ladies, and the lamentation they made  
for themselves and their country, at length soften-  
ed Coriolanus. He embraced his relations, dis-  
missed them, soon after decamped, and retired from  
the city. Some say, that the Volsci, highly dis-  
pleased with his withdrawing his legions out of the  
Roman territory, put him to a violent death ; but  
other historians say he died in a different manner.  
I find in Fabius, who is by far the most ancient  
author extant, that he lived to a great age. He  
relates a saying of his in the decline of life, “ that  
“ banishment was unsupportable, but much more  
“ so to an old man.” The men of Rome did not  
envy the ladies the commendations due to them ;  
for such was the disinterestedness of all ranks, that  
nobody endeavoured to detract from another’s glo-  
ry. And to perpetuate the memory of this im-  
portant service they had done their country, a  
temple was built and consecrated to female Fortune.  
After this, the Volsci, in conjunction with the  
Æqui, returned into the Roman territory ; but  
the latter refused to submit to Attius Tullus as  
their general. Upon this, after contending about  
the nomination of a person to command the cor-  
federat

federate army, they first quarrelled, and after that came to a smart engagement. In this action, the good fortune of the Roman people destroyed two hostile armies, in a battle that proved no less fatal than obstinate. The consuls for the ensuing year were T. Sicinius and C. Aquilius. The province of the Volsci fell to Sicinius, and the Hernici, who were likewise in arms, fell to Aquilius. The former were this year defeated, and the Romans had a drawn battle with the latter.

CHAP. XLI. The following consuls were Sp. Cassius and Proculus Virginius. A treaty was concluded with the Hernici, and two thirds of their lands taken from them; one half of which the consul Cassius designed to divide among the Latins, and the other half among the commons. To this act of generosity, he added some small pieces of land, which he alledged were unjustly possessed by private persons, though they were really the property of the public. This alarmed many of the Fathers, who held these lands, for fear of their personal interest; and the senate was under great concern on account of that of the republic, being apprehensive that the consul by his liberality aimed at a power and greatness dangerous to the liberty of the state. This was the first time that the Agrarian \* law was mentioned,

\* When the Romans had gained any considerable advantage over their neighbours, they never granted them peace till they had taken part of their land from them, which was immediately incorporated with that of Rome. Part of these conquests were sold to indemnify the state for the expenses of the war. Another portion of them was distributed gratis among the poor plebeians who had no settlement of their own. Sometimes part of them was farmed out for the benefit of the public. Rapacious patricians, solely intent upon enriching themselves, took possession of a great part of those lands by indirect methods; and whenever any attempt was made to wrest from them any part of these possessions which they had most unjustly usurped, the republic was rent with most terrible convulsions.

which

which was never since brought upon the carpet without occasioning great commotions in the state. The other consul opposed the division, and was supported by the senate; nor were the commons unanimous for it. At first they slighted a favour in which their allies were to share equally with them; and after that, they often listened with attention to Virginius, when, as if inspired with a prophetic spirit, he declared, “that the bounty of his colleague was of a dangerous nature; that these very lands would entail slavery upon those who got them; that they served to pave the way to the crown. If it was not so, why should their allies and the Latin nations be made sharers with them? With what view was the third part of the conquered lands restored to the Hernici, who were lately their enemies, but that these nations might have Cassius instead of Coriolanus for their general?” By this time, both he who promoted, and he who opposed the Agrarian law, began to have each a party among the people, and the consuls vied with one another in making their court to them. Virginius said, that he would allow the partition to be made, provided none but Roman citizens had any share in it. Cassius, as he had been very earnest to give the allies of Rome a share of the lands, thereby found his credit greatly diminished among the populace; and to recover their affections by another act of kindness, ordered the money to be reimbursed which had been received from the people for the corn that was brought from Sicily. The Romans looking upon this as a present bribe for procuring him the kingdom, rejected it with indignation; nay an aversion to kings was rivetted so fast in their minds, that every body as heartily despised his presents, as if they had been made in a time of the greatest plenty.

ty. It is agreed on all hands, that he was condemned and put to death as soon as he was out of his office. Some say his father inflicted this punishment upon him; and that, after trying him at home, he whipt him to death, consecrated all his goods to Ceres, and with it erected a statue of that goddes with this inscription, “The gift of ‘the Cessian family.’” I find in some historians, and their account seems more probable, that the quæstors \* Kæso Fabius and L. Valerius appointed him a day to answer for his treason, that he was condemned by a sentence of the people, and his house demolished by public authority: which made what is now the area before the temple of Tellus. Whether he was sentenced by his father or the people, it is certain he was condemned in the consulship of Ser. Cornelius and Q. Fabius.

CHAP. XLII. But the resentment of the people against Cassius was of no long continuance. The sweets of the Agrarian law considered in itself, and abstracted from its author, who was put to death, came fresh into their minds. That desire was likewise increased by the injustice of the Fathers, who, after subduing the Aequi and Volsci, defrauded the soldiers of the plunder. Fabius sold all the booty that was taken from the enemy, and put the money into the treasury. Though the conduct of this last consul had rendered the Fabian family odious to the commons, yet the senate had interest enough to chuse L. Æmilius and Kæso Fabius into that office for the following year.

\* The quæstors had the care of the finances and the keeping of the public treasure, of which they were to give account to the people after their office was expired. They had therefore a right to take care of recovering alienated sums, and proceeding against those who applied the money of the republic to their own use.

The

The people, more highly incensed at this election, kindled a foreign war by their intestine broils. Upon its breaking out, their civil dissensions were for some time suspended, and the senate and people uniting, obtained a complete victory, under the conduct of Æmilius, over the Volsci and Æqui who had renewed the war. The enemy lost more men in their flight than in the action, so warmly did the horse pursue them. The same year, the temple of Castor was consecrated upon the thirteenth day of July \*. It had been vowed in the time of the Latin war, when Postumius was dictator, and was dedicated by his son, who was created duumvir on purpose to perform that ceremony. The minds of the people were likewise put in a ferment by the inviting prospect of the Agrarian law ; and the tribunes strove to raise the reputation of their popular office, by getting a law passed which was so much for the interest of the people. The Fathers, who well knew that the commons were too apt to be inflamed of themselves when they had no view of profit, dreaded all largesses as incitements to them to take some rash step. They were strenuously supported by the consuls in their opposition to this law, and by that means prevailed not only at this juncture, but had also interest to chuse M. Fabius, the brother of Kæso Fabius, and L. Valerius, who was even more odious to the people, by reason of his impeachment of Sp. Cassius, to be consuls for the next year. Then too they had struggles with the tribunes ; but the law was rejected, and those who moved for it, were exposed by boasting of a favour which they were not able to make good. At this time the Fabian name was in great esteem

\* The Romans called this month *Quintilis sc. mensis*, i. e. the fifth month after March, with which they began their year. It was called *July* in honour of Julius Cæsar.

among

among the patricians, because they had distinguished themselves in three successive consulships by their steady uniform conduct in all their struggles with the tribunes; and as that honourable office was thought to have been well bestowed upon them, it was continued for some time longer in that family. Then a war with the Veientes broke out, and the Volsci renewed hostilities. The Romans had strength more than sufficient to make head against their enemies, but they wasted it in their domestic broils. And while the minds of all ranks were in the greatest uneasiness, they were alarmed with celestial prodigies which almost daily foreboded some signal calamity both to city and country. The soothsayers, when consulted with, both publicly and privately, sometimes by the entrails of beasts, and at others by birds, could assign no other reason for the divine displeasure, but that the sacrifices had not been performed with the due ceremonies. And these prodigies had this effect, that Oppia the Vestal virgin was condemned for incontinence, and the legal punishment inflicted upon her \*.

CHAP. XLIII. Then Q. Fabius and C. Julius were created consuls; the civil dissensions continued as violent as before, and the war with the neighbouring nations became hotter than ever. The *Æqui* took up arms, and the Veientes entered and plundered the Roman territories. These wars growing more formidable, Kæso Fabius and Sp. Futius are chosen consuls. The *Æqui* were besieging Ortona †, a city belonging to the Latins; and the Veientes, glutted with plunder, threatened

\* See note on Vestal virgins, book 1. chap. 20. p. 42.

† It is difficult to fix its ancient situation exactly. Some think it stood where the present Orti or Orta now stands, at the conflux of the Tiber and När.

to besiege Rome itself. But these impending dangers, instead of quieting the minds of the people, as they ought to have done, made them more turbulent, and they returned to their old resource, of refusing to enlist themselves. This they did not of themselves, but at the instigation of Sp. Licinius the tribune, who judging the present extremities, to which the state was reduced, a proper time to impose the Agrarian law upon the senate, had undertaken to obstruct the military preparations. But the whole load of envy, to which the college of tribunes was exposed, fell upon the author of this project ; for his colleagues were no less active against him than the consuls, and by their assistance the levies were completed. Two armies were raised, at the same time, for the two wars : the command of that which was to be led against the Aequi was given to Fabius, and Furius commanded the other, which was to march against the Veientes. Nothing remarkable was done against the latter, and Fabius had more trouble with his own men, than with the enemy. This man alone supported the commonwealth, while the army, through their hatred to him as consul, did all in their power to ruin it. For when the consul, besides giving very many proofs of his being an able general, both in preparing for, and carrying on the war, had at this time drawn up his army so advantageously, that he routed the enemy's forces, by charging them with his cavalry alone, the foot would not pursue them, even when they were put to flight. And though the exhortations of their general, whom they hated, had not prevailed upon them, yet the baseness of the thing, the public disgrace for the present, and their own after-danger, if the enemy had recovered their spirits, might have obliged them to quicken their pace, or at least, if they had

had done nothing else, to have moved on in good order. Instead of this they retired without orders, and returned to their camp so sorrowful and dejected, that one would have believed they had been defeated, venting imprecations sometimes against their general, and sometimes against the cavalry, for the gallant service they had done. Nor did the consul think of remedying so great an evil; so true it is that men who excel in other respects, are frequently more deficient in that address which is necessary to govern their citizens, than in talents to conquer their enemies. He returned to Rome; but his reputation as a general was not so much raised, as the minds of the soldiers were fretted and embittered against him. The Fathers however had interest enough to continue the consulship in the Fabian family; for they elected M. Fabius consul, and gave him Cn. Manlius for his colleague.

CHAP. XLIV. This year likewise the tribune Ti. Pontificius brought the Agrarian law on the carpet. He proceeded in the same manner that Sp. Licinius had done, and hindered the levics for some short time. While this opposition perplexed the senate, Appius Claudius said, " That they had got the better of the tribunician power the year before; that at present they might do it by means of the tribuneship itself, and by following this precedent would do so for ever; seeing they had found that it could be weakened by its own strength. Nor would there ever be wanting one of their number, who, from a view of defeating his colleagues, and conciliating the favour of the better part, would be disposed to promote the public good. That the consuls would find more tribunes ready to assist them, if more were necessary; but that one was sufficient

“ against all the rest. That the consuls and chief  
“ of the Fathers should only do their endeavour,  
“ if they could not win them all, at least to attach  
“ some of them to the interests of the common-  
“ wealth and to the senate.” The Fathers, by  
this advice of Appius, began all of them to treat the  
tribunes in the most kind and obliging manner ;  
and those who were consuls, and had private  
claims against any of them, partly by their interest,  
and partly by their authority, prevailed upon them  
to consent to make the privileges of the tribuni-  
cian power beneficial to the republic ; and by the  
assistance of four tribunes against one who obstruc-  
ted the public interest, the consuls completed  
their levies. After this they marched against the  
Veientes, to whom auxiliaries had flocked from all  
parts of Etruria, not so much with a design to  
assist them, as in hopes that the Roman state  
would be ruined by its intestine broils. The lead-  
ing men in a general diet of all the states of Etruria  
vaunted, “ That the Roman power would prove  
“ eternal, if they did not, by their seditions, turn  
“ their arms against one another. This was the only  
“ poison and flaw to be found in wealthy states,  
“ by which mighty empires were liable to be de-  
stroyed. That this mischief, the effects of  
“ which had been for a long time suspended,  
“ partly by the discreet conduct of the senate, and  
“ partly by the patience of the commons, was  
“ now come to a crisis. The state was split into  
“ two factions, each of which had its distinct magi-  
“ strates and laws. Formerly those very persons  
“ who were wont to exclaim loudly against inflitt-  
“ ing themselves, readily obeyed their officers in  
“ the field, and their animosities could be quelled;  
“ whatever divisions there were in the city, while  
“ their military discipline was maintained ; but  
“ the custom of disobeying their magistrates had  
“ now

“ now followed the Roman soldiers to their camp.  
 “ In the very last war, when the men were drawn  
 “ up in battalia, and in the heat of action, their  
 “ foot had voluntarily resigned the victory to the  
 “ *Æqui*, after they had been defeated ; they had  
 “ quitted their standards, abandoned their general  
 “ in the time of the engagement, and returned  
 “ without his order to their camp. And it was cer-  
 “ tain, that if they were pressed in earnest, Rome  
 “ could be conquered by its own soldiers. Nothing  
 “ else was necessary but to declare and make a  
 “ shew of war, the fates and gods would readily  
 “ do the rest of the business themselves.” These  
 hopes had roused the Etrurians to arms, who, after  
 a variety of fortune, were in the course of the war  
 often defeated and often got the victory.

CHAP. XLV. The Roman consuls likewise  
 •dreaded nothing but their own forces and their  
 own arms, and were terrified at the remembrance  
 of their shameful behaviour in the last war, from  
 bringing matters to such a pass as to have two  
 armies to fear at the same time. Therefore, in or-  
 der to avoid this double danger, they kept within  
 their camp, hoping that time and delay might  
 allay their rage, and soften their minds. Upon  
 this, their enemies, the Veientes and the Etrurians,  
 acted with the greater precipitation. They chal-  
 lenged them to fight them, first by riding before  
 the camp, and calling upon them to come out. At  
 last, when they made no impression upon the  
 consuls and army, by insulting both, they said,  
 “ That they made a pretext of intestine discord,  
 “ as a cloak to their cowardice, and that the  
 “ consuls were more diffident of the courage than  
 “ of the fidelity of the soldiers. That silence  
 “ and quiet among men in arms was a new and  
 “ strange kind of sedition.” To this raillery

they added bitter reflections, partly true and partly false, upon the baseness and obscurity of their origin. As they threw out these invectives at the foot of the rampart, and at the gates of the camp, it gave the consuls no uneasiness; but shame and indignation by turns distracted the minds of the common soldiers, and made them forget their domestic evils: they were unwilling the enemy should pass unpunished, but could not bear that either the fathers or consuls should be crowned with success: the struggle was between their resentment against their foreign and domestic enemies. At length their rage against the former prevailed; the enemy had insulted them in such an haughty and insolent manner. They came in a body to the general's tent, demanded to fight, and earnestly desired the signal for battle. The consuls pretended to confer together about the part they should act; and drew out their conference to a great length. They were desirous to engage; but their desire was to be checked and concealed, that by opposing and restraining the soldiers while their minds were irritated, they might add to their resentment. The answer they returned, was, that their demand was unseasonable, and that it was not yet a proper time to come to action, and that they should keep within their camp. Then they published a proclamation, forbidding them to engage; and declaring, that if any of them should fight without orders, they would treat him as an enemy. Upon their being dismissed in this manner, their ardour to fight increased the more, as they thought the consuls were averse to it. When the enemy knew that the consuls had resolved not to fight, they came up to the Roman camp in a more insulting manner than before. For they thought they might insult them without any danger; that the soldiers would not be trusted with their arms: that

that this delay would occasion a mutiny, which would end in the total dissolution of the Roman empire. Elated with these hopes, they ran up to the gates of the camp, threw out the most provoking reproaches, and were even upon the point of attempting to storm it. The Roman soldiers could no longer endure their insolence; they ran to the consuls from all the parts of the camp; nor did they proceed with reserve as before, by the mediation of the principal centurions, but all together demanded with loud cries to be led on to the battle: the consuls however put it off. Then Fabius, after commanding silence by sound of trumpet, addressing his colleague now yielding to the importunities of the soldiers for fear of a mutiny: "That these men, Cn. Manlius, are able to conquer, I know; that they are willing, I have no assurance. I am therefore resolved and determined, not to give the signal, unless they first swear they will return conquerors from this battle. The army once in battle, deceived the Roman consul, but will never deceive the gods." There was a centurion, M. Flavoleius, one of those who made the loudest cry for the battle, "I will return," says he, "M. Fabius, victorious from the field." If he deceived them, he invoked Father Jupiter, Mars Gradius, and the other incensed deities, to pour out their vengeance upon him. The same oath is immediately taken by the whole army, and every man wishes the same imprecation upon himself. Having taken the oath, the signal is given; they take arms, march out to the battle, big with hopes, and fired with resentment. They bid the Etrurians now throw out their reproaches and call names, and challenge those who had been so ready with their tongues to meet them sword in hand. That day both the patricians and commons behaved

with the utmost bravery : but the Fabian name and family signalized themselves above all others ; they were resolved, in that battle, to recover the affections of the commons, whom they had incensed against them by many a domestic dispute. The army is immediately drawn up ; nor were the legions of the Veientes and Etrurians backward to engage.

CHAP. XLVI. There was almost a certain hope that they would no more fight against them than they had done against the Aequi ; even some more daring attempt, at this critical juncture, and while their minds were in such a ferment, was not to be despised of. The affair turned out quite otherwise : for never in any former battle did the Romans engage with more fierceness ; so greatly were they provoked, on the one hand by the scoffs of the enemy, and on the other by the delays of the consuls. The Etrurians had not time to draw up, when the Romans, in the first hurry, throwing away their javelins at random rather than with any aim, rushed in sword in hand, which is commonly the last and most bloody part of the engagement. Among the patricians, the Fabian family were a glorious sight, and set a noble example to their fellow-citizens. One of them, Q. Fabius, who had been consul three years before, was the first who broke into the thickest of the Veientes ; but as he had many enemies to deal with at once, a Tuscan, proud of his strength and of his skill in arms, whom he had not observed, run him through the breast with his sword. Fabius drew the weapon out of his body, and fell down dead upon his face. Both armies felt sensibly the loss of this one man ; and the Romans were retiring from that place, when M. Fabius the consul leaping over his dead body, and covering

ing it with his buckler: "Was this your oath, soldiers," said he, "that flying you would return into your camp? are you so much more afraid of your most cowardly enemies, than of Jupiter and Mars by whom you have sworn? But I who am bound myself by no oath, will either return victorious, or die fighting near you, Q. Fabius." Upon this, Kæso Fabius, who had been consul the year before, said, "Do you imagine, by these words, brother, to prevail on the soldiers to fight? The gods by whom they have sworn, will do it. Let us, as becomes persons of the highest rank, and as it is conduct worthy of the Fabian name, by our deeds rather than by words, inspire our soldiers with resolution." As soon as he had spoke, the two Fabii, with their lances in their hands, flew to the foremost ranks, and with them the whole battalion advanced.

CHAP. XLVII. The battle being thus renewed in one wing, the consul Cn. Manlius, with no less bravery, encouraged the soldiers in the other, where fortune almost took the same turns. For as the men briskly followed Q. Fabius in the one, they with equal resolution followed the consul himself, who was already driving the enemy before him in the manner of a general rout: but he happening to be dangerously wounded, and retiring from the battle, they imagined he was killed, and so drew back. And they had certainly retreated, had not the other consul, galloping thither with some squadrons of horse, and crying aloud, that his colleague was alive, and that he himself having routed the other wing of the enemy, was come to their assistance, recovered the fortune of the battle, when it was inclining to the other side. Manlius likewise, in order to animate

*the*

the battle, appears at the head of his men; the appearance of both the consuls revives their spirits. The ranks of the enemy's army happened likewise at this time to be greatly thinned; for, trusting to the superiority of numbers, they withdraw the body of reserve, and send it to storm the Roman camp: meeting with little resistance, they carry it at the first assault; and while they here wasted the time, concerned more about the plunder than the event of the battle, the Roman body of reserve \*, who had not been able to stand the first charge, after sending an account to the consuls of what passed in the camp, putting themselves into a close body, returned to the general's tent, and of themselves renewed the fight. The consul Manlius likewise being at this time carried back to the camp, by posting soldiers at all the gates of it, had cut off the enemy's retreat. That despair inspired the Etrurians, rather with fury than courage. For after having several times in vain endeavoured to force their way, wherever they expected to get out, a body of young fellows set upon the consul, distinguished by the splendour of his arms. The first darts were

\* The whole Roman infantry was divided into four sorts, *velites*, *bastati*, *principes*, and *triarii*.

The *velites* were commonly some of the tiro's or young soldiers, of mean condition, and lightly armed. They had their name *a volando*, or *a velocitate*, from their swiftness and expedition. They seem not to have been divided into distinct bodies or companies, but to have hovered in loose order before the army.

The *bastati* were so called, because they used in ancient times to fight with spears, which were afterwards laid aside, as inconvenient; these were taken out the next in age to the *velites*.

The *principes* were generally men of middle age, and of greatest vigour; it is probable, that, before the institution of the *bastati*, they used to begin the fight, whence they borrowed their name.

The *triarii* were commonly veterans, or hardy old soldiers, of long experience and approved valour. They had their name from their position, being marshalled in the third rank, as the main strength and hopes of their party. They are sometimes called *pilarii*, from their weapon the *pilum*.

warded off by those who stood about him ; but at length the violence of the assailants prevailed. The consul, mortally wounded, fell dead from his horse, and all about him were routed. The Etrurians take heart ; an universal consternation fills the Roman camp. And they had been entirely defeated, if the lieutenants had not, by carrying off the consul's body, opened a passage to the enemy, through one of the gates : they rush out, and marching off in confusion, fell in with the other consul, who had defeated the enemy on his side. Here many of them were put to the sword, and the rest entirely routed. A glorious victory is obtained, melancholy however by the loss of two so famous men. For this reason, the consul, when the senate decreed him a triumph, answered, " That if the army could triumph without a general, he would most readily consent that they should enjoy that honour, on account of the signal services they had performed in that war ; but while his family was mourning for the death of his brother, and while the republic was, in some measure, in the state of an orphan, by the loss of one of her consuls, he could not accept the laurel, disfigured both with public and private grief." The refusal of a triumph added more to his honour, than any triumph could have done, so much does a proper neglect of glory sometimes exalt it. After this, he performed the obsequies of his colleague and brother. On both occasions, he pronounced the funeral orations, and by bestowing upon them the praises due to their merit, secured to himself the greater share of them. And in effect of a resolution he had formed from the beginning of his consulship, which was to gain the affections of the people, he distributed the wounded men among the senators to be cured.

The

The greatest number of them were assigned to the Fabii; nor were any more exact in their care of them. From this time that family became popular, but by no other arts, than what were consistent with the public interest.

CHAP. XLVIII. Kæso Fabius therefore being advanced to the consulship with T. Virginius, as much by the zeal of the commons, as the interest of the Fathers, made it his first care, before he engaged in levies, wars, or any other business, that, as there were already some hopes of a reconciliation between the patricians and plebeians, it might be perfected as soon as possible. For this end, in the beginning of the new year, he proposed, "That the senate should anticipate any petition of the tribunes for the Agrarian law, by exercising their own right, and dividing the land, as equally as they could, among the commons: It was but just that they should have it, by whose blood and sweat it had been purchased." The Fathers rejected the motion; and some of them complained that the lively spirit which Kæso had formerly exerted, was become cloyed and effeminate through excessive glory. The city was free from all civil dissensions the remaining part of the year. The Latins were harassed by the Æqui, who made incursions upon their lands. Kæso being sent against them with an army, advanced into their country to pillage it. Upon this the Æqui retired into their towns, and confined themselves within their walls, which prevented any remarkable action. But, by the rashness of the other consul, the Veientes gave the Romans a terrible defeat; and the army had been all cut off, if Kæso Fabius had not come seasonably to their relief. From this time, the Romans had neither peace nor war with them; for they behaved more like robbers than declared enemies. They fled

from

from the Roman legions into their capital; and when they found they were retired, made inroads into the Roman territories, declining an open war by the appearance of peace, and a peace by acts of hostility. Wherefore this war could neither be entirely neglected, nor finally decided. Besides other nations, such as the *Æqui* and *Volsci*, who never remained longer quiet, than till they had forgot their last loss, were upon the point of declaring war against the Romans; and it was very probable, that the *Sabines*, their constant enemies, and all *Etruria*, would speedily arm against them. But the *Veientes*, who were rather a constant, than a powerful enemy, gave them more uneasiness by their rapines, than the danger of their arms; which could not at any time be neglected; nor suffered them to turn their attention to any other quarter. In this situation of affairs, the *Fabian* family went to the senate, and the consul, in the name of the rest, addressed that assembly as follows: “Conscript Fathers,” said he, “you know very well, that it requires rather a constant than a strong garrison to defend you against the *Veientes*. Do ye take care of the other wars; leave the *Veientes*, your enemies, to the *Fabian* family. We undertake to preserve the majesty of the Roman name free from all insults on that side. Our purpose is to carry on this war at our private expense, as if it were only a family-war. Let the republic be freed from furnishing men and money on that score.” The senate thanked them in the kindest manner. And the consul leaving the house, went home attended by a number of the *Fabii*, who had waited in the porch, till they should know the resolution of the senate. Having received orders to rendezvous next day in arms at the consul’s gate, they went to their own houses.

CHAP. XLIX. The report flew through the city. Every body extolled the Fabii to the skies. They were filled with admiration, to find that one family should have taken upon them the burden of the state, and that the war with the Veientes would be carried on at the expense and by the arms of private persons. They said, if there were but two other families in the city equal to the Fabii in strength, and the one should demand the war against the Volsci, and the other the war against the *Æqui*, all the neighbouring nations would be subdued; and the Roman people at the same time enjoy a profound tranquillity. The Fabii in arms rendezvoused the next day at the place appointed. The consul coming out in his military habit, saw all his family drawn up in the porch before his house; and being received in the middle of them, commanded them to march. Never did an army, fewer in number, more glorious in renown, or more universally admired, march through the city. Three hundred and six soldiers, all patricians of the same stock, all capable to command brave armies, on any occasion, went out of the city threatening destruction to the people of Veii, with the strength of their single family. They were followed by a body of their relations, friends, and companions, whose thoughts were employed about no ordinary prospects or objects of hope or fear, but the greatest and noblest views. Another excited by public concern, and transported with admiration and love for them, "wished they might go on with courage and success, and that the event might be answerable to their glorious undertaking; bidding them hope for consulships, triumphs, all the rewards and all the honours they could bestow." As they passed by the Capitol, citadel, and other temples, they prayed to all the gods, which either presented themselves to their view, or occurred to their

their thoughts, to bless and prosper that army, and to grant them a happy and speedy return to their country and parents. But all these prayers proved ineffectual. Marching out by an unlucky way through the right arch of the gate Carmentalis \*, they advance to the river Cremera †. This they judged a convenient post to fortify and garrison. Then L. Æmilius and C. Servilius were chosen consuls. While both sides did nothing but plunder each other's lands, the Fabii were not only sufficient to repel the Veientes, but by sending out flying parties through all the country, where the Etrurian lands were joined to the Roman territories, they protected their own frontiers, and ravaged the enemy's. But the Veientes did not long allow them to continue their devastations; for they sent for an army out of Etruria, to besiege the garrison at Cremera. L. Æmilius the consul advancing with the Roman legions, came to a close engagement with them. Nor had the Veientes time to draw up their men; for, amidst the first hurry and confusion, while they were drawing up their troops in order of battle, and posting a body of reserve, a wing of the Roman cavalry charged them so suddenly in flank, that they had not room to form their lines, far less to begin the battle. By this means they were routed, and retreating to the Red rocks, where they had pitched their camp, they sued for peace in a submissive manner. It was granted them; yet such was the natural inconstancy of their tempers, that they repented that they had asked it, before the Roman garrison was withdrawn from Cremera.

CHAP. L. Matters returned again to the war

\* So called from Carmenta the prophetess, the mother of Evani-

† It is supposed to be the small river that now runs out of the  
Bocca, and falls into the Tiber five miles from Rome.

between the Fabii and the Veientes : nor did it consist in ravaging the frontiers, or sudden incursions ; but in pitched battles, and upon fair ground. And one Roman family often obtained victories over a people who were at that time the most powerful of the Etrurian nations. These defeats the Veientes considered at first as a great disgrace and indignity. Afterwards they formed a design of surprising their haughty enemies in an ambuscade, as soon as an opportunity offered ; and were glad to find that the forwardness of the Fabii was increased by their repeated victories. With this view, when they went out to pillage, they several times drove herds of cattle in their way, as they were ravaging the country, but so as it might seem they had lighted upon them by accident. The peasants fled, and left a great part of the country waste ; and when parties of soldiers were sent out to prevent their plundering it, they retreated oftener through a counterfeit, than a real fear. And now the Fabii entertained so mean an opinion of the enemy, that they thought them unable, at any time, or on any ground, to oppose their victorious arms. Elated with these hopes, upon seeing some herds of cattle in a plain, at a great distance from Cremera, though they observed some small parties of the enemy nigh, they run down from the fort to carry them off. When they had inadvertently passed the ambuscade which was planted on both sides of the way, and were dispersed in pursuit of the cattle, that were straggling through the fields, as they usually do when put in a fright, the enemy rose suddenly out of the ambuscade, and appeared in the front, and on all sides of them. The Veientes terrified them with the first shout which they raised, and then poured darts upon them from every quarter. As the several parties of the Etrurians closed with one another, the Fabii were surrounded by one entire compacted body;

and the more they were pressed by the enemy, were obliged to contract their own circular body within the narrower space. This crowding of their ranks both discovered the smallness of their numbers, and the great superiority of the enemy. Then they gave over charging the Etrurians, which they had done with equal fury on all sides; and made a bold push with all their strength at one place. They drew up in form of a wedge, and with the weight of their bodies and the dints of their swords, opened themselves a passage through the enemy, that led by an easy ascent to the side of a little hill, where they first halted. As soon as the advantage of the ground had given them leisure to take breath, and recover from their surprise, they repulsed the aggressors; and, by the convenience of their post, had got the better of them, if the Veientes had not fetched a compass, and possessed themselves of the top of the little hill. By this means the enemy again got the advantage; the Fabii were all killed to a man, and the fort was taken. It is agreed on all hands, that three hundred and six of them were cut off, and that there only remained one boy about fourteen years of age, as a stock to the Fabian family; which was afterwards by counsel in the senate, and conduct in the field, to save the Roman people in their greatest distress.

**CHAP. LI.** This calamity happened in the consulship of C. Horatius, and T. Menenius. The latter was immediately sent against the Etrurians, who were flushed with their victory. They likewise defeated him, and took the fort Janiculum. And as the Etrurians had crossed the river, and the city was distressed with want of provisions, it had certainly been besieged, if Horatius the consul had not been recalled from the Volscian war: and so

close to the very walls was this war brought, that the first engagement was at the temple of Hope, with doubtful success; and the second at the gate Collina. There, though the Romans had but small advantage, it recovered their former courage, and made them behave better in every future action. Then A. Virginius and Sp. Servilius were created consuls. The Veientes, after their late defeat, declined coming to a battle. They plundered the country, and from the fort Janiculum made incursions upon the Roman lands round about it. The peasants and cattle were no where safe. At length they were caught by the same stratagem by which they had intrapped the Fabii; for having pursued some herds of cattle, which had been sent out on purpose to decoy them, they fell headlong into the ambuscade. As they were more in number, the slaughter was the greater. The violence of their resentment for this loss, proved the beginning and cause of a greater: for having passed the Tiber in the night, they attempted to storm the camp of Servilius the consul; but they were routed with great slaughter, and with difficulty got back to the fort Janiculum. The consul immediately crossed the river, and fortified his camp at the foot of the hill. The next morning, at day-break, a little flushed with his success the day before, but determined to it more by the want of provisions, which led him to the most expeditious measures, however dangerous, he inconsiderately marched his army up the hill to the enemy's camp; who drove him thence, more shamefully than he had drove them the day before; but by his colleague's coming up, both he and his army were saved. The Etrurians were inclosed between the two armies; and while they endeavoured to run from both, were entirely cut off. So, by a happy rashness, ended the Veian war.

CHAP. LII. The city no sooner enjoyed peace, but provisions became cheaper; for corn was brought from Campania, and the citizens being delivered from the fear of future scarcity, brought out that which they had hid and hoarded up. After this, plenty and ease soon made them turn riotous; and they began to revive their old contentions at home, since they had no disturbance abroad. The tribunes put the commons in a ferment, by the Agrarian law, which was a poison they had recourse to on every occasion. They inflamed them against the senators who opposed it; nor did they only excite their resentment against the whole body of them, but even against particular men. Q. Considius and T. Genucius, who proposed and supported the Agrarian law, cited T. Menenius to take his trial. The charge brought against him was, that he had suffered the fort at Cremera to be taken by the enemy, though his camp lay but at a small distance from it. They prosecuted him; though the Fathers used all their interest no less for him than they did for Coriolanus; and whilst the popularity of his father Agrippa was not entirely forgot. The tribunes however changed his sentence into a fine; for though they had sentenced him to die, after his condemnation, they only fined him in two thousand asses of brass\*. This cost him his life. For it is said, that, being unable to bear this disgrace, his grief on account of it brought on him a distemper, which soon cut him off. They likewise arraigned another senator, Sp. Servilius, as soon as he was out of his consulship; and in the consulate of C. Nautius and P. Valerius, in the very beginning of the year, the tribunes L. Cædicius and T. Statius appointed him a day to take his trial. But he did not, like

\* 51. Sterling.

Menenius, descend to make mean supplications to the commons ; nor did he suffer the Fathers to intercede for him, but being confident of his own innocence, and relying upon his personal interest, boldly stood all the attacks of the tribunes. His crime was the battle with the Etrurians at Janiculum : but being a man of a daring forward temper, as formerly in the public danger, so now in his own, by confuting, in a bold speech, not only the tribunes, but also the commons ; and upbraiding them with the condemnation and death of T. Menenius, by the good offices of whose father they enjoyed those laws and those magistrates by whom they now exercised their cruelty ; by his intrepidity he dispelled the storm. He was likewise much assisted by his colleague Virginius, who, being produced as an evidence, generously gave him an equal share in those praises bestowed on himself. But what contributed most to save him, was their being ashamed of the sentence they had passed on Menenius ; so much were their minds altered in regard to him.

CHAP. LIII. When their domestic troubles were over, war broke out with the Veientes, with whom the Sabines had joined their arms. P. Valerius the consul, having sent for auxiliaries from the Latins and Hernici, was dispatched with an army to Veii, and immediately attacked the Sabine camp, which they had pitched before the walls of their allies. This struck them with so great a consternation, that they were dispersed and broken ; and while they ran in companies different ways to repel the enemy, the gate where the attack begun was carried by the Romans. Within the ramparts it was rather a continued slaughter than a fight. The confusion reached the city ; and the Veientes being terrified, run to arms, as if Veii had been taken. Some of them advanced to assist the Sabines, and

and others of them charged the Romans, who exerted all their strength and fury against the camp. This put them in disorder, and obliged them to fall back for a little while; but some of them soon faced about, and making a double front, made head against them both. The consul likewise commanded the horse to charge the enemy, and by them the Etrurians were soon routed and put to flight. And thus were two armies defeated, and two of the most powerful neighbouring nations subdued at the same time. During these transactions at Veii, the Aequi and Volsci had incamped themselves in the Latin territories, and pillaged their country. The Latins, joined by the Hernici, had, without a Roman general, or any assistance from Rome, drove them out of their camp. They not only recovered their own goods, but also took a vast booty. Nevertheless C. Nautius the consul was sent from Rome against the Volsci: for I suppose they were unwilling that it should become a precedent for their allies to make war without both a Roman general and army. They distressed the Volsci with all the rigours of war, and loaded them with all manner of indignities; but after all could not force them to come to a battle.

CHAP. LIV. Then L. Furius and C. Manlius were elected consuls. The Veientes fell to Manlius as his province, but the war was not continued. They sued for a truce, which was granted them for forty years, upon condition of paying a yearly tribute and a certain quantity of corn. Peace with their neighbours is immediately followed by contentions at home. The tribunes egged on the commons by the bait of the Agrarian law: but the consuls not being in the least discouraged by the condemnation of Menenius, nor the danger of Servilius, opposed it with all their might. When they were cut of their office, Genucius the tribune

tribune impeached them. L. Æmilius and Opiter Virginius entered upon the consulship. In some annals, I find Vopiscus Julius mentioned as consul, instead of Virginius. But whoever were the consuls, it is certain that Furius and Manlius, after they were arraigned, went about in a mourning habit supplicating the people; nor were they more assiduous in their application to the commons than to the younger senators, whom they advised, "not  
" to intermeddle with the honours and admini-  
" stration of the public affairs, but to look upon  
" the consular fasces, the toga prætexta, and the  
" curule chair, as nothing else than so much pomp  
" prepared for their funeral. That being adorn-  
" ed with these glittering ensigns, as with so ma-  
" ny fillets, they were destined to be sacrificed.  
" But supposing the consulate had so many sweets  
" and allurements, they ought to consider, that  
" the consuls were now oppressed by, and made the  
" tools of the tribunician power; nay, were obli-  
" ged to do every thing according to the will and  
" pleasure of tribunes, as if they were serjeants  
" who attended them to execute their orders. If  
" they had the least thoughts of freeing them-  
" selves from this yoke, of restoring the power  
" to the senate, or establishing any other au-  
" thority in the republic than that of the people,  
" they ought to cast their eyes on the banish-  
" ment of C. Marcius, and the condemnation  
" and death of Menenius." The Fathers, infla-  
" med with these violent speeches, no longer con-  
" cerned measures publicly, but held secret meetings,  
and made very few privy to their designs. As they  
were unanimous for rescuing the persons accused  
either by right or wrong, the most violent methods  
proposed pleased them best. Nor were persons  
wanting to advise the most desperate measures. In  
consequence of this, when the day for their trial  
was come, and the people stood in the forum

in great hopes of seeing them condemned, they wondered at first that the tribune did not come to the assembly; but when his long delay made them begin to suspect him, they believed that he was frightened by the senators, and complained that he had deserted and betrayed the public cause. At length the people, who had been going up and down in great numbers before his door, brought word that he was found dead in his own house. And this report was no sooner spread through the assembly, but as an army is put to rout by the death of their general; so they all stole away by different ways to their own houses. The tribunes were most terrified; for the death of their colleague convinced them, that even the laws which made their persons sacred, were insufficient to protect them. Neither did the Fathers bear their joy with sufficient moderation; and they were so far from shewing any remorse for the crime they had committed, that those who had no hand in it were desirous to be thought the actors of it; and they declared in all companies, that the power of the tribunes was to be kept under by chastising them.

CHAP. LV. Immediately upon the back of this victory, w'ich set a most fatal precedent, a muster was appointed; and as the tribunes were dispirited, the consuls completed their levies without any interruption from them. Upon this, the people were more provoked at the silence of their tribunes, than the commands of the consuls, and said, “ That their liberty was lost; that they were returned to their former slavish condition; that the tribunician authority had died and been buried at the same time with Genucius; that they ought now to think of some other method, to defend themselves against the senators; that the only way was for them to do this themselves,

“ selves, seeing they could find no body else that  
“ would protect them; that the consuls were attend-  
“ ed by twenty-four lictors, who are commoners;  
“ that nothing was weaker than their power, if  
“ there were but men who would dare to despise  
“ their authority, which every body was apt to  
“ magnify in their imagination, and represent as  
“ terrible.” After they had inflamed one another  
with these discourses, it happened that the consuls  
sent a lictor to one Volero Publilius a commoner,  
who had been a centurion in the army, and for  
that reason denied that he could be compelled to  
serve as a common soldier. Volero called upon  
the tribunes to protect him. But as no body as-  
sisted him, the consuls commanded him to be stript,  
and the rods to be got ready. “ I appeal to the  
“ people,” says he, “ because the tribunes chuse  
“ rather to see a Roman citizen whipt before  
“ their face, than expose themselves to be murder-  
“ ed by you in their beds.” The louder he baul-  
ed, the greater haste the lictor made to tear and  
cut off his cloaths. But Volero being stronger  
than he, and assisted by those whom he called to  
his relief, repulsed the lictor; and hurrying into  
the thickest of the croud, where every one with  
the loudest cries expressed their resentment of the  
outrage done them in the person of Volero, he  
bauled out, “ I appeal, and implore the protection  
“ of the people! Assist me, citizens! my fellow-  
“ soldiers, assist me! You have no ground to  
“ hope for aid from the tribunes, who want your  
“ protection for themselves.” The people in the  
highest ferment take to their arms, as if they had  
been preparing for a battle; and it was evident  
that matters were in the utmost danger, and nei-  
ther persons in public nor private stations were  
safe, The consuls came to dispel the storm;  
but they are soon convinced, that the dignity of  
their

their office, without a sufficient force, was insufficient to protect them : the lictors being beaten and the fasces broken, they are driven out of the forum into the senate-house, uncertain how far Volero would push his victory. When the heat of the tumult was over, having ordered the senators to be summoned to the house, they complained of the assault that had been made upon them, of the insolence of the commons, and the audaciousness of Volero. After many violent speeches, the elder senators, who were against opposing the passionate measures of the patricians to the rashness of the commons, at length prevailed.

CHAP. LVI. Volero became the favourite of the commons, and at next election they created him tribune. L. Pinarius and P. Furius were consuls that year. But though every body imagined that he would have employed the whole force of the tribunician power to harass those who had been consuls the year before ; yet he preferred the public interest so far to his own private resentment, that, without so much as using one harsh expression against them, he proposed a bill to the people, that the plebeian magistrates should be chosen in the comitia by tribes. This was a motion of no small importance, though at first sight it appeared not to affect the senate much ; for by it the patricians lost their power of chusing what persons they pleased for tribunes, by the suffrages of their clients. This law was very acceptable to the commons ; and though the Fathers opposed it with all their vigour, yet neither could the authority of the consuls, nor the interest of the chief men of the patricians, prevail on any one of the college of tribunes to interpose, though that was the only power that could obstruct it ; but as it was a weighty and important affair, they wrangled about

bout it, till the year was out. The commons chose Volero tribune a second time. The Fathers imagining that the matter would be brought to the last push, chose for consul Ap. Claudius, the son of Appius, who, by long family-disputes, was an open enemy to the commons, and as heartily hated by them. T. Quinctius was given him for his colleague. The law was the first thing brought upon the carpet in the beginning of the year. And as Volero, who first proposed it, continued to support it; so his colleague Lætorius, being a later advocate for it, was for that reason a more strenuous one. As no man of his time had more personal courage or bravery than he, his renown in war made him bold and forward. For, though Volero threw out no invectives against the consuls, but confined his discourse entirely to the nature of the law, Lætorius began with accusing Appius and his family of excessive pride and cruelty to the people; and affirmed, that the senators had not created a consul, but an executioner to plague and torment the commons. This rough soldier wanted words to express his thoughts, and equal to the freedom which he took. Wherefore when his expression failed him, " Seeing I do not speak with so much ease," says he, " O Romans, as I can perform what I say, come hither to-morrow; I shall either die here in your sight, or have the law pasted." The tribunes possessed themselves of the temple the next day, and the consuls and the nobility were assembled to oppose the law. Lætorius commanded every body to be removed, except the voters. There stood some young noblemen in the way, who would not withdraw, when they were ordered by the serjeant. Lætorius commanded some of them to be seized. The consul Appius asserted, that a tribune had no authority over

over any body but a plebeian, and that he was not the magistrate of the senate, but of the people ; and that he himself had no power to remove them according to former precedents, because the form of addressing them is, “ Depart hence, Romans, “ if you think it proper.” By talking fluently and contemptuously of the forms of the court, he could easily confound Lætorius. The tribune therefore in a transport of passion sent his serjeant to the consul, and the consul sent his lictor to the tribune, calling out aloud, that he was a private person, that he was not a magistrate, and had no authority ; and the tribune had certainly suffered violence, if the whole assembly, who were highly provoked at the behaviour of Appius, had not taken part with Lætorius against the consul, and if great numbers of the commons, alarmed with the account of what had happened, had not flocked thither from all parts of the city. Yet Appius stoutly stood the storm with the utmost obstinacy ; and the quarrel had certainly ended in a bloody battle, if Quintius, the other consul, had not charged the senators of consular dignity to remove his colleague out of the forum by force, if they could not do it by any other method, while he sometimes by earnest intreaties endeavoured to appease the enraged multitude, and at others begged the tribunes, “ to “ dismiss the assembly, and give their passion time “ to subside. That time would not in the least “ abridge their authority, but add wisdom to direct “ it. That the Fathers would be in the power “ of the people, and the consul in the power of “ the Fathers.”

CHAP. LVII. It was no easy matter for Quintius to quiet the commons ; but the Fathers found it far more difficult to appease the other consul. At length, after the assembly of the people was dis-

miffed, the consuls convened the senate. Fear and resentment prevailing by turns, at first produced a variety of sentiments; but the longer they sat and the cooler they grew, the more did they dislike to continue these contests; in so much that Quintius had the thanks of the house, because it was by his means the contention had been mitigated. They begged of Appius, "That he would not screw the consular dignity higher than was consistent with the harmony and tranquillity of the two orders of the state. That while the tribunes and consuls strove each to ingrofs the whole power to themselves, the public strength was entirely weakened. The commonwealth was distracted and torn in pieces by their factions and disputes, while both sides only contended for the chief direction of affairs, and never thought of the preservation of the state." Appius, on the other hand, "called gods and men to witness, that they abandoned and betrayed the public interest through fear and cowardice; that the consul had not been wanting to the senate, but the senate to the consul; that harder terms were now imposed upon them, than those concerted in the Sacred mount." At last he was prevailed upon, by the united intreaties of the Fathers, to be silent, and the law passed without any more noise.

CHAP. LVIII. Then were the tribunes first chosen in the comitia by tribes. Piso supposing that there had been only two of them before, says, that three were added to the number, and that their names were C. Sicinius, L. Numitorius, M. Duilius, Sp. Icilius, and L. Mæcilius. During these disturbances at Rome, a war with the Volsci and Æqui broke out. They had laid waste the Roman lands, with a view to induce the com-

mons,

mons, if they should make a secession, to retire to them for shelter ; but when they saw that all differences were composed, they decamped, and led back their armies. Ap. Claudius was sent against the Volsci ; the province of the *Æqui* fell to Quintius's lot. Appius behaved in the same arbitrary manner abroad in war, that he had done at home in peace ; and the more as he was freed from the restraints of the tribunes. His hatred to the commons rose even higher than that of his father, because he had been lately defeated by them ; and though he had been singled out as the only proper consul to oppose the power of the tribunes, yet a law had passed during his administration, which the preceding consuls, from whom the senators had not near so great expectations, had prevented with less struggle and opposition. These thoughts spurred on his haughty and imperious temper to torment the army by the severity of his orders ; but so great was the aversion they had contracted to him, that he could not conquer them by any means. They did every thing slowly, indolently, negligently, and with a spirit of mutiny. Neither fear nor shame could prevail on them. If he ordered them to march with expedition, they would go slower on purpose. If he stood by them to encourage and forward the work, they would work slower than they had done before of their own accord. When he was present, they hung down their heads, and cursed him in whispers as he passed by ; so that even his haughty spirit, which the hatred of the commons could not subdue, was sometimes moved by their behaviour. Having tried all the severity he could invent with the soldiers to no purpose, he said the army was corrupted by the centurions, whom he would sometimes scoffingly call tribunes of the people, and sometimes Voleros.

CHAP. LIX. The Volsci had intelligence of all this, and pressed the Romans more closely, in hopes that their army would carry their resentment as far against Appius, as they had done against the consul Fabius. But their aversion to Appius was much greater than to Fabius. For they were not like the army under Fabius, unwilling to conquer, but even willing to be conquered. When they were led on to battle, they fled in a shameful manner back to their camp; nor did they stand to their defence, before they saw the Volsci making a terrible slaughter on their rear, and beginning to force their lines. Then indeed were they forced to fight, in order to drive the victorious enemies from their lines; but it was very plain, the Roman soldiers designed no more than to save their camp from being taken. Some of them rejoiced at their disgrace, and the loss they had suffered. Yet after all that had happened, the haughty spirit of Appius remained undaunted, and he summoned them to an assembly, determined to vent his rage and cruelty on the whole army. But his lieutenants and tribunes ran to him, and advised him not to put his authority to the trial, since its whole force depended on the consent of those that obey. That the soldiers openly refused to go to the assembly, and were heard loudly demanding that he should decamp out of the territories of the Volsci. That the victorious enemy had a very little before not only come up to the gates of the camp, but even attacked their lines; and there was not only reason to suspect, that some terrible danger was hanging over them, but even the strongest appearances of it were clearly to be seen. Overcome at last by these remonstrances, though the army got nothing by it, but the delay of their punishment, he put off the assembly, commanding them to be ready to march next morning; and accordingly

dingly gave the signal to decamp, by sound of trumpet, at day-break. When the army was drawn out of the camp, the Volsci, who had been roufed by the same signal, fell upon their rear. From it the alarm reached the foremost ; and the terror it spread, occasioned such confusion among the ranks and companies, that the troops could not hear the commands of their general, nor draw up in order of battle. None thought of any thing but making their escape ; so that they fled with great precipitation over heaps of dead bodies and arms, and the enemy gave over the pursuit, before the Romans ceas'd to fly. At length, when the soldiers were drawn together again, the consul, who during this scattered rout had followed them closely, and called upon them in vain to turn and face the enemy, pitched his camp in a safe place ; and having assembled the army, justly upbraided them with throwing off all regard to military discipline, and deserting their colours ; asking the soldiers one by one, who stood unarmed, what was become of their arms, and likewise inquired of the standardbearers, who had lost their ensigns, what was become of their colours. Then the centurions, and serjeants who had quitted their ranks, he scourged and beheaded. The remainder of the army cast lots, and every tenth man of them was put to death.

CHAP. LX. The army fent ~~against~~ the Aequi behaved in a quite different manner ; for the consul and the soldiers vied with one another, in courtesy and acts of kindness. Quintius was naturally more mild and gentle, and the unhappy effects of his colleague's cruelty made him the more satisfied with his own disposition. This very good understanding between the Roman general and the army so terrified the Aequi, that

they dared not shew themselves in the field, and they suffered the enemy to ravage their lands at pleasure. Nor was there a larger booty gained in any former war from that people ; it was all given to the soldiers. To this gift he likewise added praises, which gave them no less sensible pleasure than rewards. The army returned to Rome, perfectly reconciled to their general, and on his account to the patricians. They said, that the senate had given them a father to command them, and to the other army a cruel master. This year is spent with various success in war, and violent feuds at home and abroad ; remarkable chiefly for the election of the tribunes by the tribes : an affair more considerable for the victory gained over a violent opposition, than for any real advantage ; for the loss the comitia suffered in its dignity, by the exclusion of the Fathers from that assembly, was more considerable than any new power the people acquired, or the senate lost thereby.

CHAP. LXI. L. Valerius and T. Aemilius were consuls the following year, when the commotions run higher than ever, both on account of the feuds between the different orders of the state, about the Agrarian law, and also upon account of the trial of Ap. Claudius. For, as if he had been chosen consul a third time, he violently opposed the law, and strenuously supported the cause of the possessors of the public lands. And for that reason M. Duilius and C. Sicinius appointed him a day to answer for his conduct. Never was any accused person cited before the people, more universally hated by them ; full of his own and his father's resentments : neither did the Fathers ever struggle harder to save any of their order. For they saw, with the utmost

most regret, the guardian of the senate, the avenger of their dignity, the defender of their rights against the attacks of the tribunes and commons, given up to the rage of the people, and that only for having a little exceeded the bounds of moderation, in the heat of the dispute. Appius was the only one of the senators who despised the tribunes, the people, and his own impeachment. Neither the threats of the commons, nor the intreaties of the senate could ever prevail upon him so much as to change his habit, or in a suppliant manner to solicit his judges, nor even, in making his defence, to soften or abate any of his usual bitterness of style. His behaviour was still the same ; he retained the same sullenness in his aspect, and breathed the same spirit in his speech ; so that the greatest part of the people were no less awed by him, when cited before them as a criminal, than they dreaded him before when consul. He pleaded his cause once, and did it with his usual air, that is to say, rather as an accuser, than a person accused ; and astonished the tribunes and people so much by his resolution, that of their own accord they put off his trial to another day, and after that suffered the time to be prolonged. Not long after he died of a disease, before the day appointed. The tribunes attempted to hinder the pronouncing of his funeral oration ; but the commons, being more equitable, would not suffer so great a man to be deprived of this usual honour. And they heard his praise after his death with as favourable an ear, as they had heard his accusation during his life ; nay, great numbers of them assisted at his funeral.

CHAP. LXII. The same year Valerius the consul marched with his army against the *Aequi*, and when he could not draw them to a battle, attempted

tempted to storm their camp. He was prevented from taking it, by a terrible tempest accompanied with thunder and hail. What increased their wonder, was the sudden calm and fair weather that succeeded upon his sounding the retreat; for they thought some deity had interposed to save the camp, and were restrained by a religious dread, from endeavouring to force it a second time. All the fury of the war was turned into plundering their lands. The other consul *Aemilius* made war upon the Sabines, who confined themselves within their walls; and for that reason he laid waste their country, by burning not only the farmhouses, but even large and populous villages. Then the Sabines were forced to come out of their strong holds, and meeting with the Roman pillagers, had an engagement with them; but parted leaving the victory undecided, and the next day retired with their forces to a secure place. This the consul looked upon as a sufficient victory obtained over the enemy, and upon their retreat returned home, leaving the war unfinished.

CHAP. LXIII. During these wars, and the civil commotions at Rome, *T. Numicius Priscus* and *A. Virginius* were chosen consuls. The commons seemed resolved not to suffer the Agrarian law to be put off any longer, and were preparing to exert their utmost efforts, when the flight of the peasants, and the smoke of the farm-houses set on fire, informed them of the near approach of the Volsci. This invasion suppressed the sedition, which was now ripe, and just upon the point of breaking out. The senate obliged the consuls to march immediately against the enemy; and after the young men were led out of the city, the rest of the people were quiet and peaceable.

peaceable. The Volsci indeed, after alarming the Romans with a groundless fear, without attempting any thing further, retreated quickly out of their territories. Numicius marched to Antium against them, and Virginius marched against the Aequi. There the army narrowly escaped being cut to pieces from an ambuscade; but the bravery of the troops rescued them from the danger into which they had been led by the negligence of the consul. The war with the Volsci was more prudently conducted; for they were routed in the first battle, and fled to Antium, which was a very rich city. Numicius not daring to besiege it, took Cenon, another city belonging to the Antiates, but not so wealthy as Antium. While the Romans were employed against the Aequi and Volsci, the Sabines entered their territories, and advanced to the very gates of the city, plundering the country. They did not go unrevenged; for, in a few days after, both the consuls, in a rage entering their territory with the two armies, made large reprisals.

CHAP. LXIV. In the end of the year the city had some respite from war, but, according to the usual custom, it was disturbed by the contests between the patricians and plebeians. The commons, to shew their resentment against them, refused to appear at the election of the consuls. The election was held by the patricians and their vassals, who make choice of T. Quinctius and Q. Servilius. The first part of the year was disturbed by domestic factions, which were stifled upon the breaking out of a foreign war. The Sabines having made a hasty march through the territory of Crustuminum, ravaged all the country about the river Anio with fire and sword; and though they were repulsed, after coming up almoit

most to the walls of the city, and the gate Collina, yet they carried off vast numbers of men and cattle. The consul Servilius pursued them with an hostile army; but not being able to come up close with them on even ground, he committed the most terrible devastations in their country; he let nothing escape the calamities of war, and returned home with a prodigious booty. In the mean time the war with the Volsci was carried on successfully, by the good conduct of the general, and the bravery of the soldiers. They engaged first in a plain: the battle was very bloody, and many were killed on both sides. And the Romans, the smallness of whose numbers made their loss more sensibly felt, would have given way, if the consul, by a well-timed fiction, had not revived the courage of his army: calling aloud that the other wing of the enemy was routed, his men, by making a fresh attack, from a belief that they were conquerors, became really so. The consul being afraid that the enemy might rally if he pressed them too close, sounded a retreat. For some days all hostilities ceased, and both armies remained inactive, as if they had secretly consented to a truce. During this time great numbers of men, from the several nations of the *Æqui* and Volsci, came into the enemy's camp, not doubting, but if the Romans should get intelligence of their coming, they would march off in the night. For this reason they came before the third watch to storm the camp. Quintius, after he had allayed the fear which this sudden terror had struck into his men, ordered them to continue quiet in their tents, and led out of the camp a body of the Hernici for an advance-guard. He likewise caused the trumpeters, and the blowers upon the horn, to mount on horseback, to blow from time to time before the rampart, and to keep

keep the enemy in a constant alarm till day-light. The rest of the night every thing was so quiet in his camp, that the Romans had enough of sleep. The appearance of a body of infantry in arms, whom the Volsci supposed to be Romans, and to be more numerous than they were; the noise and neighing of the horses, which, unaccustomed to this sort of riders, and frightened with the sound of their instruments, were very intractable, kept the Volsci as close upon their guard, as if they had expected every moment to be attacked by the enemy.

CHAP. LXV. When it was day, the Roman army, quite vigorous and refreshed with sleep, marched out to battle, and at the first charge beat off the Volsci, who were fatigued with standing under arms and watching all night. The enemy were not entirely routed; they rather fell back to some steep places behind the principia, to which they retreated in safety without breaking their ranks. The consul, when his men came to the rising ground, commanded them to halt. It was with the utmost difficulty that the soldiers could be kept back; they cried out to him, and earnestly intreated him to permit them to pursue the enemy already discomfited. The cavalry especially crowded round their general, shewed the greatest eagerness to fight, and with a loud voice declared, that they would go before the ensigns to the charge. While the consul, on the one hand, encouraged by the ardour of his troops, and on the other deterred by the disadvantage of the ground, seemed irresolute what to do, they all declared by a general shout, that they would go on, and immediately began to march. They fixed their javelins in the ground, that they might climb over the steep places with more ease, and then run towards the top of the hill. As they advanced, the enemy,

enemy, having spent all their darts at the first attack, tumbled down upon them the stones which lay among their feet, and by the number of these, which they poured upon them, broke their ranks, and forced them to retire from the acclivity. The left wing of the Romans was almost borne down and ready to draw back, when the consul, by reproaching them both with their rashness and want of courage, made shame get the better of their fear. Upon this they first struggled with great resolution; after that, as they were able to gain a little ground, they advanced, and setting up another shout, encouraged the whole army: then making a new effort, climbed up the hill, and surmounted the difficulty of the place. They had now almost got to the top of the eminence, when the enemy turned their backs; and, by a scattered flight, the pursued and the pursuers entered the camp almost at the same time: before they recover from their fright, the camp is taken. Those of the Volsci who were able to make their escape, fled to Antium. Quintius led his army thither, and after the city had been invested a few days, it surrendered before the besiegers had made any assault, so much were they dispirited with their late defeat and the loss of their camp.

## B O O K III.

## A B R I D G M E N T.

- I. *Seditions raised about the Agrarian law. War with the Latins.* VI. *A pestilence breaks out in Rome.*
- VII. &c. *War with the Æqui and Volsci.* XIII. &c. *Kæso Quintius accused and banished.* XIV. *The slaves take possession of the Capitol.* XVIII. *Which is recovered by L. Mamilius the dictator.* XXIV. *The tenth census*

census is held, when the number of citizens amounts to 142,409. XXVI. Upon bad success with the *Aequi*, L. Quin. Cincinnatus is made dictator. XXVIII. He conquers the enemy, and sends them under the yoke. XXX. The number of tribunes of the people increased to ten, 36 years after their first institution. XXXI. Ambassadors sent to Greece for the Athenian laws; decemvirs created to digest them. XXXIV. These decemvirs for their services are continued another year; add two more tables to the other ten; behave insolently; refuse to resign their office, and keep it for a third year. XLIV. Till at length the lust of Ap. Claudius puts an end to their tyranny. L. Actions against the decemvirs; some of them thrown into prison, and others sent into banishment. LX. Wars with the Sabines, Volsci, and *Aequi*. LXXI. The unjust sentence passed by the Roman people, who, being chosen arbitrators between the Aricini and Ardeates, awarded the lands in dispute to themselves.

**C H A P. I.** **A**fter the taking of Antium, Ti. Æmilius and Q. Fabius were elected consuls. This was the Fabius who alone of all the Fabian family survived the battle of Cremera. Æmilius had, in his former consulate \*, declared for dividing the lands among the people. Upon his advancement to that office a second time, the abettors of this partition had hopes of getting it passed into a law. The tribunes likewise, thinking, that, being supported by one of the consuls, they would now be able to carry what they had often attempted in opposition to both, brought the Agrarian law again upon the carpet. The consul Æmilius persisted in his opinion. The possessors of the lands, and a great part of the patricians, complaining that a chief magistrate of the city officially promoted the claims of the tribunes, and made himself the idol of the people by giving away other mens property,

\* In the year of Rome 282. p. 234.

transferred the whole odium of this affair from the tribunes to the consul. A warm debate would have ensued, had not Fabius put an end to it by proposing an expedient disagreeable to neither party. "That in the former year, when Quintius commanded the army, under his good conduct some lands had been taken from the Volsci : that a colony might be sent to Antium \*, a neighbouring and commodious city, situated on the sea-coast. By this means the people might be put in possession of lands, without complaints of possessors, and the state be in quiet." This expedient was acquiesced in ; and T. Quintius, A. Virginius, and P. Furius were appointed triumvirs, to make the partition of the lands. Such as were willing to share therein, were ordered to give in their names. But, as usually happens, no sooner had they it in their power, than they refused to go to these new seats ; and so few inrolled themselves, that the Volsci were admitted in order to complete the number appointed for the colony ; the rest of the people chusing rather to continue their clamours for lands at Rome, than to be put in possession of them elsewhere. The *Æqui*, against whom Fabius had marched an army, sued to him for a peace ; which they broke, by making a sudden irruption into the Latin territories.

CHAP. II. In the following year Q. Servilius, colleague in the consulate with Sp. Postumius, being sent against the *Æqui*, incamped in the country of the Latins. A distemper, which raged among his troops, obliged them to keep within their camp ; and the war was protracted to the

\* Antium was the capital of the Volsci, situated on the point of a rock. It was a day's journey from Ostia, according to some, near Nettuno, or according to others near Antio Rovinato. Its name is still retained in La torre d'Anza and Capo d'Anza.

third year, when Q. Fabius and T. Quintius were consuls. Fabius, who, in his former consulship, had granted peace to the *Æqui*, had that province assigned to him by an extraordinary commission. He, marching thither, in full confidence that his very name would bring them to a submission, sent deputies to their supreme council, to represent to them, “ That Q. Fabius the consul “ desired to tell them, that having formerly carried “ peace from the *Æqui* to Rome, he now brought “ war from thence, with arms in that same right “ hand which he had then given them in amity. “ By whose treachery and perfidy this had hap-“ pened, the gods were now witnesses, and would “ soon revenge. However that might be, he “ much rather desired, that they should by a vo-“ luntary repentance cancel their crime, than suf-“ fer the calamities of war. If they did repent, “ they should be received into the protection of “ that clemency they had formerly experienced : “ but if they delighted in breach of solemn trea-“ ties, they had the incensed gods rather than e-“ nemies to fight against.” This representation made so little impression on any of the *Æqui*, that the deputies narrowly escaped being insulted ; and an army was sent to Algidum\* against the Romans. Accounts of this being brought to Rome, indignation rather than danger drew the other consul out of the city. Thus two consular armies advanced to meet the enemy in order of battle, ready to engage that instant. But as it happened that the day was near spent, one of the enemy’s advanced guard called out aloud, “ This, O Romans, is only “ making a parade, not fighting. You draw up

\* It was situated in the farthermost parts of the country of the Etrurians, in the Latin way, on a hill, and near a wood, which is now called *Selva del l’Aglio*. This city lay eighteen miles from Rome.

" your men in battalia just on the approach of night. We need more day-light to decide the action we are like to come to. Be ready tomorrow by day-break, and fear not but we will give you an opportunity to fight." The Roman soldiers, stung with these reproaches, were led back to their camp till next day, and thought the night passed slowly, which hindered them from coming to an engagement. Then they refreshed their body with victuals and sleep. As soon as it was light next morning, the Roman army was ready drawn up a little sooner than that of the *Æqui*, which at length advanced in battalia. The battle was obstinate. Rage and revenge pushed on the Romans, while a consciousness of having by their perfidy drawn this calamity on themselves, and despair of ever after having any confidence reposed in them, made the *Æqui* dare and risk every thing. But they were not able to sustain the charge of the Romans. When after this defeat they were retired into their own country, as little as ever disposed to peace, the mutinous populace began to upbraid their chiefs with venturing to fight the Romans in a pitched battle, wherein they had always the advantage. That they themselves were better at plundering the country, and making inroads; and that the true art of war consisted more in skirmishing in small parties, than in risking their whole force in one decisive action.

CHAP. III. Leaving, therefore, a guard in their camp, they sallied out and invaded the Roman territories with so great fury, that the terror reached even to the city. The surprise of this irruption increased the dread, as nothing was less to be feared, than that an enemy, conquered and as it were besieged in their camp, should think of plundering. The country-people running in a great panic to the

the gates, and through groundless fears magnifying every thing, called out, "that it was not " small parties of ravagers, but a regular army and " whole legions of enemies, advancing with all " expedition to attack the city." Those who were nearest the gates repeated this account to others, and the farther it spread, it was the more magnified. The hurry and noise of those calling to arm was as great, and the terror almost as general, as if the city had actually been taken. It seasonably happened, that the consul Quinctius returned at that time from Algidum, which allayed their fears. As soon as their consternation was over, after chiding them for being afraid of conquered enemies, he posted guards at the gates. Then convening the senate, and a general vacation of the courts of justice being proclaimed by the authority of the Fathers, he marched out to protect their territories, having appointed Q. Servilius governor of the city. But he found not the enemy in the Roman dominions. Matters were wisely managed by the other consul, who knowing what route the enemy would take, fell upon them in their march, loaden and incumbered with spoil, and made it a fatal incursion to them. Few of them escaped the ambuscade he had laid for them, and all the booty was recovered. On Quinctius's return to the city, the courts of justice, which had been shut for four days, were again opened. Then a census was held, and on Quinctius's finishing the lustrum \*, it is said that the number of citizens inrolled amounted to one hundred twenty-four thousand two hundred and fifteen, besides orphans of both sexes. From this time there was no remarkable action with the *Æqui*; for they shut themselves up in their towns,

\* This was the ninth lustrum since their first institution; and shews that Rome had received no considerable increase.

and suffered their country to be burnt and pillaged. The consul Fabius, after having several times laid waste the enemy's country with fire and sword, returned to Rome with great reputation and a vast booty.

CHAP. IV. Then A. Postumius Albus and Sp. Furius Fusus were elected consuls. Some writers called the Furii, Fusii. I mention this that nobody may conclude from this difference of names, that they were different persons. It was not doubted but one of the consuls would prosecute the war with the *Æqui*. For this reason that people solicited aid of the Volsci, who inhabited Ecetra \*. It was cheerfully granted, so inveterate an hatred did these nations bear to the Romans; and they made the most vigorous preparations for war. The Hernici, coming to the knowledge of this, informed the Romans, that the Ecetrans had revolted to the *Æqui*. The colony of Antium was likewise suspected; because, upon the taking of that city, a great number of their men had fled to the *Æqui*, and, during the war with that nation, were the best troops they had. Afterwards, when the *Æqui* had retreated into their fortified towns, these soldiers, retiring privately, had returned to Antium, and seduced the colony, of itself already disposed to rebel, from its allegiance to Rome. Matters not being yet ripe for their revolt, and the Roman senate getting intelligence of their intention, the consuls were ordered to send for the chief men of the colony, and to interrogate them of their designs. They came very willingly, and being introduced, by the consuls, into the senate, gave such answers to their questions, that they

\* Ecetra was a considerable city among the Volsci, and was situated on a hilly ground. No traces of it are now to be seen.

were more suspected at their departure, than they had been at their coming. After this war was looked on as certain. One of the consuls, Sp. Furius, to whom that province had fallen, marching against the *Æqui*, found them laying waste the territories of the Hernici. Ignorant of their number, because they had never been seen all together in a full body, he rashly gave them battle with an army inferior to theirs; and being routed at the first charge, retreated to his camp. Nor was the danger then over; for, during next night and the day following, his camp was so closely besieged and assaulted by the superior army of the enemy, that not so much as a courier could be dispatched from thence to Rome. The Hernici, however, sent advice, both of the loss of the battle, and of the consul and army's being besieged. This struck so great terror into the senators, that they ordered the other consul Postumius "to take care that the republic should suffer no detriment;" which was an expression in acts of the senate, importing that the state was in the greatest extremity of danger \*. It was thought most adviseable that the consul should stay in the city, to enlist all who were able to carry arms, and that Quinctius should be sent as proconsul † with an army of confederates, to the relief of the camp. The Latins, Hernici, and colony of Antium were ordered to complete his army with the subitarii; so were auxiliaries sent on a sudden emergency called in those days.

#### CHAP. V. In the mean-time, the enemy are

\* By this decree the senate granted the consul the supreme power. His decisions were absolute, and no appeal to be made from them.

† The proconsul supplied the place of the consul, and governed with the same authority, but was confined to that province which the republic committed to his care.

in motion every where ; many assaults are made in different places at the same time ; for being superior in number, they endeavoured, by dividing the Roman forces, which were insufficient for the defence of every place, and attacking them every where at once, to cut them off in small parties. At the same time that they attacked the camp, they sent part of their army to ravage the Roman lands, and to attempt the city itself, if they could find a favourable opportunity. L. Valerius was left to guard Rome, and the consul Postumius sent to repel the ravagers from the frontiers. No pains or labour of any kind were spared. Guards were placed in the city, centinels at the gates, and soldiers to defend the walls ; and, what was very necessary amidst so much confusion, a vacation of all courts of justice was appointed for several days. The consul Furius, though he had at first quietly suffered himself to be blocked up in his camp, fell suddenly out at the back gate, and surprised the enemy. He might have pursued them, but halted lest his camp should have been attacked in some other place. Lucius, his brother and lieutenant-general, pursued the enemy with too much eagerness, without perceiving either that the Romans were retreating to their camp, or that the enemy were falling on his rear. Being thus cut off from the main body of the Roman army, after many unsuccessful attempts to open himself a way to the camp, he fell fighting valiantly. The consul hearing that his brother was surrounded, likewise returned to the battle, and rushing with more precipitation than caution amongst the thickest of the enemy, was wounded, and with difficulty rescued by those who were about him. This accident disheartened his own men, and inspired the enemy with fresh courage ; who elated with killing a lieutenant-general, and wounding

wounding the consul, beat down all before them. The Romans, equal neither in strength nor courage, were driven back to their camp, and there again besieged : and all had certainly been lost, had not Quinctius brought an army of Latins and Hernici, and other auxiliary troops, to their relief. While the *Æqui* were wholly intent upon making themselves masters of the Roman camp, and with insults exposing to view the head of their dead lieutenant, he fell on their rear, at the same time that the besieged, on a signal made by him, sallied out, and by this means surrounded great part of their army. The slaughter was not great, but the *Æqui* fled in straggling parties through the Roman territories. Postumius fell with great fury upon them, straggling and plundering, with some detachments, which he had posted in proper places. These pillagers being thus routed, in their flight fell in with the victorious Quinctius returning with the wounded consul. It was then that the consular army revenged the wounding of their consul, and the death of their lieutenant-general, with the slaughter of the cohorts under his command. Great slaughter was made, and great loss sustained on both sides, for those times. It is difficult, in an affair so ancient, exactly to ascertain the number of those who fought or were slain on either side : Antias Valerius however takes it upon him to set down the precise numbers : That there fell of the Romans in the country of the Hernici five thousand three hundred : That the consul Postumius killed two thousand four hundred of those *Æqui* who in scattered parties pillaged the Roman territories : That a much greater slaughter was made of those whom Quinctius lighted on, as they were carrying off their booty ; for four thousand, and, by his minute computation,

two hundred and thirty of them, were slain. Upon this they returned to Rome, and again opened all the courts of justice. The heavens seemed to be all on fire, and other phænomena were either actually seen, or imagined to be seen by people in their fears. To avert these dreadful omens, three solemn fast-days were appointed, during which time the temples were crowded with multitudes of men and women, imploring the mercy of the gods. Then the Latin and Hernician auxiliaries were sent home with grateful acknowledgments of the great service they had done the Romans in the war. A thousand soldiers from Antium, because they had not come up till the battle was over, were dismissed not so honourably.

CHAP. VI. Then the elections were held; and L. Æbutius and P. Servilius being chosen consuls, entered upon their office on the first day of August, which at that time was the beginning of the year \*. This year proved very calamitous; a plague happened to rage both in town and country, and swept off both man and beast. The violence of the distemper was much increased by the number of peasants, who were taken, with their cattle, into the city for fear of being plundered. This medley of all kinds of animals annoyed the citizens by its uncommon stink, and likewise stifled the country-people, pent up in close lodgings, with heat and want of sleep; besides, their attend-

\* Nothing is more uncertain than the beginning of the consular year. And chronologists have at last owned all their endeavours to settle it, unsuccessful and vain. It is probable at the first creation they entered into office in the calends of March; afterwards in October; now in August; and it will in the sequel appear, that they entered into office sometimes in July, December, and sometimes in March, till the consular years were fixed to begin in January, and continued to do so till the ruin of the re-public,

ance on one another, with the infectious nature of the distemper, propagated it every where. When they were scarce able to support themselves under these grievous calamities, ambassadors from the Latins and Hernici brought them sudden advice, that the *Æqui* and *Volsci*, with united force, had incamped in their country, and with a great army pillaged their lands. Besides that the thinness of the senate discovered to these allies, that the city was much reduced by the plague, they received likewise this uncomfortable answer, “ That the Hernici, in conjunction with the Latins, should defend their own territories. That the incensed gods by a sudden plague swept off the inhabitants of Rome. That if this distemper should abate, they would succour their allies, as they had done the year before, and on all other occasions.” Upon this they departed, carrying home worse news than they had brought, as they could not of themselves support a war, which they had scarce been able to maintain when assisted by the Roman army. The enemy staid no longer in the country of the Hernici, but marched in an hostile manner into the Roman territories, which were desolate, even without suffering the calamities of war. Meeting neither soldiers nor peasants there, and having over-run the whole country, not only defenceless, but even uncultivated, they advanced by the Gabian way within three miles of Rome. *Æbutius* the Roman consul was dead; and his colleague *Servilius* lingering under the plague, with little hopes of recovery. Most of the nobility were affected, with the greater part of the senators, and almost every man of an age fit to carry arms; so that they wanted not only forces to send out to stop the progress of the enemy, which the present distressed state of affairs required, but even guards for common duty. The *senatores*,

senators, whose age and health would permit, mounted guard and stood centinels. The ædiles went the rounds, and gave the necessary orders; for on them was devolved the administration of affairs, together with the consular authority.

CHAP. VII. The state thus desolate, without a head, and without strength, the guardian gods and fortune of the city preserved; and made the Volsci and Æqui act rather like ravagers than formal enemies. For they not only entertained no hopes of winning the city, but had not so much as courage to march to the walls of it. The sight of the houses afar off, and the threatening tombs daunted them so much, that a murmuring arose through all the camp; “ why they indolently wasted the time in a wild and deserted country, amidst the carcases of men and cattle, without plunder, while they might have gone to heal thy places, to the rich fields of Tusculum; that they should immediately pull up their standards, and, by marching cross the Lavican territories, go to the hills of Tusculum:” Thither is turned all the force and fury of the war. In the mean time the Hernici and the Latins, moved not only with compassion, but ashamed at having neither obstructed the common enemy’s march to Rome, nor sent any relief to their besieged allies, marched with their united forces to Rome. When they found the enemy were gone, getting intelligence of their route, they followed the tracks of their army, and met them coming down from the Tuscan hills into the valley of Alba. There they fought with great disadvantage, and for that time their fidelity to their allies was very unsuccessful. Nor was the havock less at Rome by the plague, than of the allies by the sword. The surviving consul, with other eminent men, M. Valerius,

lerius, T. Virginius Rutilus, both of them augurs, died of it; as also Servius Sulpicius, the curio maximus\*. It destroyed great numbers of the lower people. The senate, destitute of all human aid, made the people have recourse to the gods and to prayers, ordering them to go in procession with their wives and children and implore the divine mercy. Being thus called upon by public authority to do what each individual's private distress obliged him to perform, they crowded all the temples, where the matrons, lying prostrate on the floors, and sweeping them with their hair, deprecated the divine vengeance, and implored the gods to put an end to the plague.

CHAP. VIII. Whether it was that they obtained favour of the gods, or that the unwholesome season of the year was now past, from this time the distemper by degrees abated, and their bodies began to recover health. Then they applied with vigour to public affairs; and after several interregnums, P. Valerius Publicola, the third day after he had been chosen interrex, appointed L. Lucretius Tricipitinus, and T. Veturius Geminus, to be consuls: this Veturius is in some historians called Vetusius. They entered upon their office on the ninth day of August; and the city was by this time so healthful, as to be in a condition not only to act defensively, but even to offend their enemies by carrying the war into their country. On intelligence, therefore, from the Hernici, that the enemy had entered

\* The chief curio is compared by the Fathers Catrou and Rouille to the archpriests or archieacons in France, standing in the same relation to the other curiones, as they do to ministers of parishes. He was chosen by all the curiae together. The curiones had the charge of the sacrifices, almost in the same manner as the principal magistrates had in Greece.

their territories, the Romans readily promised to assist them. Two consular armies were levied. Veturius was sent to attack the Volsci in their own country. Tricipitinus, having been commissioned to post himself in such a manner, as to defend their allies lands from being ravaged, went no farther than into the territories of the Hernici. Veturius defeated and routed the enemy in the first engagement. The pillagers stole by Lucretius as he lay incamped there, and marching along the tops of the hills of Præneste, from thence made a descent into the open country. They pillaged the lands of Præneste and Gabii, and from the last marched round to the hills of Tusculum. Rome was struck with a terrible panic, more on account of the surprise of this unexpected incursion, than for want of sufficient force to repel it. Q. Fabius, who was governor of the city, by arming the youth, and posting guards in proper places, preserved all things in safety and quiet. The enemy therefore, having taken a great booty from the adjacent country, fetching a compass retired with their army, not daring to approach the city. Growing more negligent in their march in proportion as they got at a distance from the city, they fell in with the consul Lucretius, who having by his scouts got certain intelligence of their route, was ready drawn up, and waiting an opportunity to give them battle. Being thus prepared, he immediately charged them, seized with a sudden fear; and though he was inferior in numbers, routed and put to flight their numerous army; and driving them into the valleys, from whence the outlets were difficult, surrounded them on all sides. There the whole nation of the Volsci was almost cut off. I find in some annals that thirteen thousand four hundred and seventy of them were killed in the battle, and in the flight after

after it ; one thousand two hundred and fifty made prisoners, and twenty-seven standards brought out of the field. Though possibly the number may be somewhat exaggerated, yet it is certain that a great slaughter was made of them. The victorious consul, having got a great booty, returned to the same camp which he had left. After that both consuls incamped together. The *Aequi* and *Volsci* likewise united their broken forces. A battle ensued, the third this year ; in which the Romans had the same success ; the enemy were routed, and their camp taken.

CHAP. IX. Thus was the Roman state restored to its former flourishing condition : and this success in war immediately raised intestine commotions. C. Terentillus Arsa was that year tribune of the people. Thinking the absence of the consuls a fit opportunity for preferring the claims of the tribunes, he for several days accused the senators of pride before the people, but in a particular manner inveighed against the consular power as too absolute and insupportable in a free state, representing, “ That it was only in name “ less odious, but in fact very near as grievous as “ regal government. That instead of one lord “ they had got two, with unbounded and unlimit-“ ed power, who, being themselves independent “ and restrained by no authority, turned the “ whole dread of the laws against, and rigorously “ punished the breach of them in the common “ people. That their tyranny might not be per-“ petual, he would prefer a bill for authorising “ five \* men, to draw up laws, for restraining “ the

\* Other authors say ten ; and then the form of the bill was this :  
Let the people, in lawful comitia, elect ten men, of a mature  
age, consummate wisdom, and unspotted reputation, to draw  
Y 2 up

" the consular power within due bounds. That  
 " the consuls might not exercise any authority  
 " over the people, but what they themselves in-  
 " trusted them with, and not substitute their own  
 " licentious tyranny and arbitrary wills in place  
 " of law." While the patricians, on proposing  
 this bill, were under terrible apprehensions of ha-  
 ving a yoke imposed on them in the absence of  
 the consuls, Q. Fabius governor of the city  
 ascribed the senate. He inveighed so bitterly  
 both against preferring the bill and its author,  
 that had both the consuls been present, to wreak  
 their vengeance on the tribune, they could not  
 have used greater threatenings and menaces. He  
 charged him, " with lying in wait, and taking  
 " advantage of the absence of the consuls, to  
 " attack the republic. Had the gods in wrath  
 " cursed them with a tribune of his character in  
 " the preceding year, when they were afflicted  
 " with the plague and war, it had been impossible  
 " to have found a remedy against his wicked  
 " designs. When both the consuls were dead,  
 " the city distressed with sickness, and all things  
 " lay jumbled together in confusion, he would  
 " have proposed laws for destroying the consular  
 " authority, and marched on the head of the  
 " Volsci and Aequi to attack Rome. Why did he  
 " arrogate this power to himself? If the consuls  
 " had behaved haughtily, or cruelly used any citi-  
 " zen, they might be cited to take their trial,  
 " and be arraigned before the people as judges, of  
 " whose body the person inhumanely treated was  
 " a member. Such proceedings as his would not

" up a body of laws, as well for the administration of the public,  
 " as determination of private affairs. Let these laws be fixed up  
 " in the public forum; and let the annual magistrates, as well  
 " as other judges, be obliged to conform themselves to them, in  
 " the decisions of the controversies which may arise in Rome."

" render

“ render the consular, but tribunician power odious and insupportable, which having been lately softened and reconciled to that of the patricians, was falling again into its former enmity. Not that he begged him to desist from his purpose; ‘it is you, his colleagues,’ says he, ‘whom we conjure first of all to consider, that the tribunician power was provided for the relief of individuals, not for the destruction of the whole. You were made tribunes of the people, not enemies to the senators. Should the authority of the state in the absence of its supreme magistrates be broke in upon, it would be a great grief to us, and derive hatred and reproach upon you. You will not lose a tittle of your right, but only expose yourselves to less odium. Use your interest with your colleague to suspend all proceedings, till the return of the consuls. The very Aequi and Volsci did not vigorously prosecute a cruel and destructive war against us last year, when both our consuls were dead of the plague.’ His colleagues prevailed with Terentillus, and the bill being in appearance put off, but in fact dropt, the consuls were immediately sent for home.

CHAP. X. Lucretius returned to Rome with great booty, but greater renown. His exposing, on his arrival, the whole spoil in the Campus Martius, that every one for the space of three days might know and carry away what goods were his own, added considerably to his reputation. What no body claimed, was sold. A triumph was declared due to the consul by universal consent, but was delayed because the tribune still insisted on his bill, which the consul thought ought to be discussed preferably to every thing else. For some days the matter was warmly debated

debated in the senate, and then before the people. At last the tribune yielding to the dignity of the consul, dropt his bill. Upon this, due honour was paid to the consul and his army. He triumphed over the *Aequi* and *Volsci*, his soldiers following in his train. An \* ovation was granted to his colleague, who entered the city without his army. In the following year an attempt was made on the new consuls by the revival of Terentius's law, which was now warmly espoused by the whole college of tribunes. The consuls were P. Volumnius, and Ser. Sulpicius. That year the heavens seemed to be on fire, and there happened a violent earthquake; and what had gained no credit the year before, was now firmly believed, viz. that a cow spoke. Amongst other prodigies, it rained raw flesh, which, it is said, was catched in the falling by numerous flocks of birds which flew round at that time. What of it fell to the ground lay scattered for several days, without changing its smell. The Sybilline books were consulted by the duumviri †, who presided over

\* A petty kind of triumph decreed where the war was not very dangerous, and consequently the victory not very important. The general to whom it was decreed, was not allowed to enter the city in a chariot, or to be crowned with laurel. He marched on foot to the Capitol with a crown of myrtle on his head. Upon a triumph it was the common practice of the general to transfer his army to the command of another, excepting in times of confusion, when neither this nor any other custom or law were regarded.

† These duumviri consulted the Sybilline books, whenever the senate pleased. But recourse was seldom had to them, but under some severe public calamity, as in case of sedition, a Roman army's being defeated, or the appearance of prodigies which were deemed fatal. Then these officers were to see what the Sybilline books commanded put in execution. They presided at the sacrifices and public sports, which were made to appease the wrath of the gods. They likewise had the ordering of every thing relating to the secular games. They held their office for life, and were exempted from taxes, civil and military employments. From duumviri they increased to decemviri, and then to quindecimviri. This magistracy was, with the other Roman superstitions, abolished by the Emperor Theodosius.

sacred things. They foretold danger from the coming of strangers; and to prevent any assault upon the highest places of the city, and a slaughter consequent thereon, amongst other things, the people were admonished to abstain from civil discord. The senators were accused of contriving this on purpose to hinder the passing of the law, and the contest ran very high. In the mean time the Hernici (as if the war was every year to keep in the same track) bring account, that the Volsci and Aequi, notwithstanding they had been so much reduced, were recruiting their army. That the Antiates, who openly held their councils at Ecea-  
tra, were the chief support of the enemies of Rome. Antium was the head of the confederacy, and furnished the troops for the war. When these things were laid before the senate, an army was immediately ordered to be levied. The consuls were commanded to share the management of the war between them, the one to march against the Volsci, the other against the Aequi. The tribunes dinned the people's ears by exclaiming in the forum, "That the story of the Volscian war  
" was a mere fable invented by the patricians, in  
" which the Hernici were beforehand instruct-  
" ed to play their parts. Now indeed the liberties  
" of the Roman people were not openly attacked,  
" but undermined by artifice. Because it was  
" incredible, that the Volsci, who had almost  
" been all cut off, should, together with the  
" Aequi, without any provocation, put their  
" troops in motion, new enemies must be looked  
" out for: a faithful and neighbouring colony  
" must be defamed: war was denounced against  
" the Antiates who were innocent, but was to be  
" carried on against the the Roman people, whom  
" they were drawing headlong out of the city  
" burthened with arms, that by banishing and  
" sending

" sending the citizens out of the way, they might  
 " revenge themselves on the tribunes. By this  
 " means, that they might not be imposed upon  
 " by their specious pretexts, the sole design of  
 " the senators was to evade the law, unless while  
 " the matter was entire, while they were at home,  
 " and in their gowns\*, they should take care  
 " not to be driven from the city, nor receive a  
 " yoke of slavery. If they had courage, help  
 " should not be wanting. All the tribunes were  
 " of one mind. There was no fear of a foreign  
 " enemy. Nor was there any danger; the gods  
 " had last year taken care, that their liberty  
 " should be defended with safety."

CHAP. XI. Such were the remonstrances of the tribunes. The consuls, on the other hand, erected their tribunals in their very sight, and were raising an army. Thither the tribunes ran in great hurry, drawing the assembly after them. A few were called on, as it were to try how the master would go, but immediately a tumult arose. Whomever the lictor seized by command of the consul, the tribune ordered to be released. Neither party kept within the bounds of the laws, but trusting to force and violence strove to gain their ends. As the tribunes were active in opposing the

\* The Roman authors have given us no particular description of the *toga*, here translated a gown; and the moderns are much divided about the form of it. Some imagine it was open before; others that it had no opening but at the top for the head to go through. It answered to our cloaks reaching from the shoulders to the heels. It was originally the dress of both sexes; afterwards the ladies laid it aside, and used a particular habit: the laws obliged the women of bad characters to use the *toga* as a mark of infamy. It was found to be an inconvenient dress for war, and therefore laid aside by the citizens when they took the field; hence it became a symbol of peace; and *toga*, the gown, is opposed to war, and *negati*, gownsmen, to soldiers. The garment worn under this was called *tunica*.

levies, so were the patricians in hindering the passing of the law, which was proposed every day on which an assembly of the people was held. A quarrel began when the tribunes commanded the people to leave the forum, from which the patricians would not suffer themselves to be excluded. The aged senators for the most part absented themselves from these meetings, because the debates were not managed with temper, but left to the direction of rash and audacious men: and the consuls for some time staid away for fear of exposing the dignity of their office to insults in such a mixed rabble. There was one Kæfo \* Quinctius, a young man of high spirits, with which his noble birth, huge size, and great strength inspired him. To these gifts the gods had bestowed upon him, he had added many honours gained in war, and was a good speaker in the forum, so that no man belonging to the republic was deemed a greater orator, or a braver soldier. This man, when surrounded by a crowd of senators, was always the most conspicuous among the rest; and as if, on account of his eloquence and strength, in him had been centered all dictatorial and consular power, he was the only person who sustained the storms of the tribunes, and fury of the mob. Under his conduct the tribunes had been frequently driven out of the forum, the rabble dispersed and put to flight. Whoever came in his way was sure to be soundly drubbed, and stripped. So that it was evident, had he been allowed to have run on in this course, the bill would have been quite lost. Upon this, while the other tribunes seemed to have lost all heart, A. Virginius, one of their colleague, summoned Kæfo against a certain day to

\* The name of *Kæfo* was usually given to those children, who could no otherwise be brought into the world than by cutting open their mothers.

be tried for his life. This affront rather inflamed than daunted this impetuous young nobleman ; so that he more vigorously opposed the law, insulted the people, and attacked the tribunes, having then as it were a just cause of making war upon them. His accuser suffered him after his impeachment to run on, that by his outrages he might blow up the resentment kindled against him, and furnish fresh matter for his indictment. The tribune continued still to propose the law, not so much from any hope of carrying it, as to provoke this rash youth. In the mean time many unadvised speeches and actions of the young nobility were charged upon Kæso alone, who was become odious, notwithstanding which he continued his opposition to the law. A. Virginius was every now and then representing to the people, “ Do you not perceive, Romans,” says he, “ that it will be impossible for Kæso to continue in the city, and for you at the same time to carry the law, which you are so eagerly bent upon ? But why do I mention the law ? He obstructs your liberty, and exceeds all the Tarquins in haughtiness. Wait till he is made consul or dictator, whom you see in his private capacity domineer over you, by his uncommon strength and audaciousness.” Many, complaining that they had been severely beaten, approved of the tribune’s speech, and incited him to prosecute the affair to the utmost.

CHAP. XII. The day of trial was now come, and it appeared people were generally of opinion, that their liberty depended on the condemnation of Kæso. Then at length was he forced to make very mean submissions, and solicit the commons one after another. His relations and friends, the principal men of the city, attended him.

T.  
Quintus

Quinctius Capitolinus, who had been thrice consul, after recounting many honours he had gained himself as well as those of his family, affirmed, “ that neither of the Quinctian race, nor in the city of Rome, had there ever been so promising a genius, or such a prospect of complete bravery, as discovered itself in Kæso. That he had made his first campaign under him, and he had often seen him fight valiantly against the enemy.” Sp. Furius said, “ that he had been sent by Q. Capitolinus to his relief when he was in the midst of danger ; and he thought, no man had at that time contributed more, by his valour, to the re-establishment of the affairs of the state, than Kæso.” L. Lucretius, who had been consul the preceding year, all glorious in the high renown he had lately acquired, shared his honour with Kæso : reckoning up all his combats, and recounting the great exploits he had performed when he had been sent out on parties and in pitched battles, he earnestly advised, “ that they would rather chuse to retain as their fellow-citizen, than send into banishment this excellent youth, who was adorned with every natural endowment and gift of fortune, and would prove of the greatest service to any state he should go to. Age would daily lessen that fire and impetuosity of temper, which gave them offence. Experience, which he now wanted, he would every day acquire. That therefore as years were correcting his vices, and his virtues ripening, he hoped they would permit that illustrious youth to grow old amongst them.” With them Kæso’s father Quinctius surnamed Cincinnatus joined his intreaties, beseeching them for his sake, who had never offended any one by word or deed, to pardon his son. He industriously avoided the mention of his virtues, for fear of increasing the people’s

people's envy, and only besought them to forgive his faults which were the effects of youth. But some declined to receive the submissions of so great a man, either through modesty or fear. Others, complaining that they and their friends had been severely beaten, plainly testified their sentiments by the rough answer they gave.

CHAP. XIII. Besides the general odium, a particular charge was brought against Kæso, to which M. Volscius Fictor\*, who had been tribune of the people some years before, rose up and gave evidence. He said, " That not long after the plague had raged in the city, he had fallen in with a company of young patricians committing a riot in the Subura †. And a quarrel happening, Kæso had with his fist knocked down his elder brother who had not perfectly recovered of his sickness, and had left him almost dead. Being carried home between mens hands, he was of opinion, that he died of that blow; but the consuls for the preceding years would not allow him to prosecute Kæso for this cruel murder." This accusation so exasperated the people, that in their rage they had very near fallen upon and killed Kæso on the spot. Virginius commanded him to be seized, and carried to prison, but the patricians opposed this order by force. His father T. Quinctius cried out, " That one, against whom an action is brought for a capital crime, and for which he is soon after to take his trial, ought not to have violence done him, before he is condemned, or so much as heard in

\* This surname of Fictor was probably given to M. Volscius, from his bearing false witness against Kæso.

† Subura was a village which stood in one of the valleys of mount Cælius, and was anciently called *pagus suburanus*. It gave name to that tribe called *tribus Suburana*.

" his

" his own defence. The tribune replied, " That it was not his intention to inflict any punishment upon him, till he should be legally condemned, but only to secure him in prison till the day of trial, that as he had killed a man, the Roman people might have it in their power to punish him for this murder." The tribunes being appealed to, exerted their right of affording the oppressed, by taking the middle way between Virginius's pretensions and those of Kæso's friends, ordering the criminal to appear in person at his trial, and to promise to pay a certain sum of money to the people in case of non-appearance. It was long before they could agree on a reasonable sum. The sum was referred to the decision of the senate; and while they were deliberating on it, the criminal was kept under arrest in the common hall. It was agreed he should give security, and each surety was to become bound in the sum of three thousand asses of brass \*; but it was left to the determination of the tribunes how many there should be: they concluded on ten, and that number became surety for the criminal's appearance. He was the first who gave security to the state. Being set at liberty, he went next night in exile to the Etrurians. On the day of trial, when his being in banishment was urged as an excuse, Virginius notwithstanding held the comitia, and the rest of the tribunes being called upon, dismissed the assembly. The fine was rigorously exacted of the father; so that, after selling all his effects, he lived for some time like an exile, in a retired and solitary cottage, on the other side of the Tiber.

**CHAP. XIV.** This trial and proposing the law employed the whole city, which had no foreign

\* According to Arbuthnot, the amount of this in Sterling money is 9 l. 13 s. 6 d.

war to disturb it. The tribunes, flushed with their supposed victory, thought, that as they had struck a terror into the patricians by the banishment of Kæso, the law was now as good as passed, and that the most aged of the Fathers, by not meddling in the administration of affairs, had yielded to them all authority in the state. The young noblemen, especially such as had been companions of Kæso, without having their courage impaired, became more incensed against the plebeians. But in one respect they were much improved ; for they kept their resentment within bounds. As soon as the bill began to be proposed after the banishment of Kæso, being ready prepared, and attended by a great number of clients, they attacked the tribunes, whenever they furnished them with a handle by removing them out of the assembly. They made this assault in such a manner, that neither the chief honour nor odium of it could be derived on any particular person ; for they were all equally concerned ; and the people complained, that instead of one, a thousand Kæsos had started up. On the intermediate days, when the tribunes did not offer to prefer the bill, nothing could be more peaceable or quiet. They courteously saluted, discoursed with, and invited the plebeians to their houses, assembled with them in the forum, and even suffered the tribunes to hold assemblies on other affairs without interruption. They never, either in public or private, shewed any passion, but when the law began to be proposed. On every other occasion these young noblemen were very complaisant to the commons. For the tribunes were not only suffered to do their other business quietly, but were rechosen to serve that office next year without an unhandsome word, or the least violence offered to them. By such gentle usage and soothing speeches they by degrees softened the people,

people, and by these devices staved off the law for all that year.

CHAP. XV. The state enjoyed more tranquillity than it had done for some time before, when C. Claudius, son of Appius, and P. Valerius Poplicola \*, received the consulship. The new year produced nothing remarkable; the concern to have the bill passed, and to prevent it, employed the city. The more the young patricians insinuated themselves into the favour of the plebeians, the more vigorously did the tribunes, on the other hand, strive to render them suspected, by the most grievous accusations. “A conspiracy was made; “Kælo was in Rome; a plot was formed to kill “the tribunes, and massacre the people. The “old senators had given the young nobility com-“mission to abolish the tribunician power, and to “restore the state to the same form of government “in which it was before the secession to the “Sacred mount.” Besides all this, they dreaded a war with the Volsci and Æqui, which was now become common, and happened regularly almost every year: another new and unexpected calamity, in the mean time, broke out nearer home. The outlaws and slaves, to the number of four thousand five hundred, surprised the Capitol and citadel in the night-time, under the conduct of one Appius Herdonius, a Sabine. They immediately put to the sword every man in the citadel, who refused to join in their conspiracy, or to take up arms along with them. In the confusion some ran precipitately, and in a great panic down into the forum, where nothing was to be heard but the voices of those calling by turns, “To arms,” and, “The enemy is in the city.” The consuls were equally afraid of arming the people, or suffering

\* This was Poplicola's second consulate.

them to be without arms. Uncertain what sudden calamity, whether from a foreign or domestic enemy, from the people's hatred, or the treachery of the slaves, had befallen the city, they endeavoured to settle the confusion, and by settling it they rather increased it. Nor was it indeed possible to govern the people in this consternation and astonishment. At length they gave arms, but not to all indiscriminately, only to as many as they could safely trust to guard every place, against the unknown enemy. As they were uncertain who the enemy was, and entirely ignorant of their numbers, they spent the remainder of the night in great perplexity, posting guards in proper places through the whole city. At last day came, and discovered both whence the war came, and who was at the head of it. Appius Herdonius from the wall of the Capitol proclaimed liberty to the slaves, telling them, " That he had undertaken the cause of every one in distress, with a resolution to restore those who had been unjustly banished from their native country, and to take the grievous yoke of servitude off the necks of the slaves. He wished, however, that the Roman people would of themselves do this. But if there was no hopes of relief from them, he would have recourse to the Volsci and Aequi, try all expedients, and put all their enemies in motion against them."

CHAP. XVI. The senators and consuls now saw more clearly into the matter. Besides what was publicly threatened, they were afraid that the Veientes and Sabines had been the authors of this conspiracy; and whilst so many enemies were in the city, the Sabine and Etrurian forces would immediately appear before Rome according to concert; and after them, their constant enemies,

the

the Volsci and Aequi, would march, not as formerly to ravage their lands, but even to possess themselves of their very city, which was in part taken. They had many and different grounds of fear ; but what perplexed them above all others, was a dread of the slaves, not knowing but every man had an enemy in his own house. It was neither safe to confide in them, nor by suspecting their fidelity to irritate them more. And to such straits were they reduced, that it was scarce probable, that even a thorough agreement between the two orders of the state would enable them to ward off these impending dangers. But amidst so many great calamities that they actually felt, and others that were still casting up, none apprehended any evil either from tribunes or people. The disturbances these occasioned were but inconsiderable, being ever the consequences of freedom from all other calamities, and besides seemed for the present to be lulled asleep by this foreign alarm. And yet the opposition of the tribunes pressed hardest upon them in this most dangerous situation of their affairs.. For such madness possessed them, that they insisted “ the war was a mere “ trick ; and that the Capitol had been seized on “ ly to divert the people’s minds from thoughts of “ the law, which being once passed, those clients “ and dependents of the patricians, seeing all their “ riotous efforts to obstruct it frustrated, would “ steal away in greater silence than they had “ come.” With that, calling the people from their arms, they held an assembly to pass the law. In the mean time the consuls convened the senate, apprehensive of greater danger from the tribunes than from the enemy, who had alarmed them in the night.

CHAP. XVII. When word was brought, that  
Z 3 the

the people had laid down their arms, and abandoned their posts, P. Valerius, leaving his colleague to keep the senate together, left the senate-house in a great hurry, and ran into the temple\* to the tribunes. "What is the meaning of this," said he, "tribunes? Will you, under the command and conduct of Appius Herdonius, overturn the public? Has he, who could not prevail with your slaves to join him, been so fortunate as to have seduced you? Does it seem good to you to quit your arms, and set about enacting laws, when the enemy is over our heads?" Then turning to the people, "Romans, if you have no regard for the city, no regard for yourselves; yet surely you reverence the gods of your country, who are prisoners to your enemy! Jupiter, the greatest and best of beings, queen Juno, Minerva, and all the other gods and goddesses, are actually beset; slaves are incamped round your tutelary gods. Do you think this argues a people in their senses? While so powerful an enemy is not only within the walls, but even in the citadel, overlooking the forum and place of our assemblies; the comitia in the mean time are held in the forum, the senate is met in the temple: as if we enjoyed the greatest tranquillity, the senator gives his opinion, and the other Romans their suffrages! Ought not rather all, patricians, plebeians, consuls, tribunes, citizens, and men, to take arms and lend their help? would it not be more decent to fly to the Capitol, to deliver and regain that august habitation of the great Jupiter? Do thou, O father Romulus, inspire thy descendants with

\* It was usual both for the senators, tribunes, and other magistrates, to meet in some temple, or at least in places consecrated by augury.

“ the same courage, whereby thou formerly recoveredst this citadel, which the Sabines had made themselves masters of by bribery. Command them to enter the same way which thou first led, and thy army entered after thee. Lo ! I, who am consul, as far as a mortal man can follow a god, will be the first to follow thee and thy footsteps.” Then he concluded, “ that he would take arms, and summoned every Roman to do the same. That without regard to consular authority, tribunician power, or the sacred laws, he would treat whoever should oppose him, whatever he was, where-ever he should meet him, in the Capitol or in the forum, as an enemy. Since the tribunes had forbid them to arm against Appius Herdonius, they might command them to take up arms against P. Valerius the consul. He would venture to do by the tribunes, what the founder of his family had dared to do by the kings.” Every thing seemed to be upon the point of coming to the utmost violence, and that the sedition of the Romans would become a spectacle to the enemy. It was impossible either to get the law enacted, or for the consul to march against the Capitol. At last the night coming on put an end to the disputes which were begun. The tribunes were peaceable all night, for fear of the armed partizans of the consuls. When these authors of sedition were out of the way, the senators went round amongst the people, and mingling with them where they saw them in crouds together, entered into discourses suitable to the times ; admonishing them “ to beware, into what extremity of danger they plunged the republic. That the contest was not now between the patricians and plebeians, but both senators and commons, the citadel of Rome, the temples of their gods, nay their national and domestic

" domestic gods themselves, were abandoned to " their enemies." While these measures were taking for appeasing the contentions in the forum, the consuls, in the mean time, went to post guards at the gates and walls, lest the Sabines and Veientes should come and attack the city.

CHAP. XVIII. That very night accounts of the taking the citadel, surprising the Capitol, and of the other civil disturbances at Rome, were carried to Tusculum, where at that time L. Mamilius was dictator. He immediately assembled the senate, introduced the messengers, and strongly remonstrated, " that they ought not to wait till " ambassadors should come in form from Rome to " demand aid; that the very danger and hazard, " their confederate gods, and the sacred obligation " of treaties, required expedition. The gods would " never give them a like opportunity of obliging " so powerful and neighbouring a state." They cheerfully consented to send them succours; and their youth were immediately mustered and armed. They reached Rome by day-break, and were taken at a distance for the Aequi and Volsci coming to attack it. When that groundless fear was diffipated, they were received into the city, and marched in a body to the forum, where P. Valerius, having left the guard of the gates to his colleague, was already drawing up his troops. The reputation of the man had great weight with the people, when he assured them, " that as soon as the Capital should be recovered, and the city in quiet, " if they would allow themselves to be informed " of the secret and treacherous views concealed " under the law, he would remember his ancestors, remember his surname, which his progenitors had left as an hereditary obligation upon " him to support the interests of the people, and " would

"would not interrupt their assemblies." Upon that they followed him as their leader, in spite of the strong opposition of the tribunes, and gained the top of the Capitol hill, in conjunction with the Tusculan auxiliaries. These allies and the citizens strove in noble emulation, who should have the glory of recovering the citadel, and each general encouraged his own men. Then began the enemy to tremble, having nothing to rely on but the strength of the place. The confederate army of Romans and Tusculans attacked them briskly, while they were in this consternation; and had already broken into the porch of the temple, when P. Valerius, animating the battle at the head of his troops, was killed. P. Volumnius, a man of consular dignity, saw him fall, and ordering his men to cover his body, flew to put himself in the consul's place. With such ardour and fury did they fight, that the loss of so great a man was not felt by the soldiers; they had gained the victory before they were sensible they fought without their general. Many of the exiles polluted the temple with their blood, and many of them were taken alive, but Herdonius himself was slain. And thus was the Capitol regained. Every prisoner was punished suitably to his condition \*, as he was a freeman or slave. The Tusculans had the public thanks. The Capitol was cleansed and purified †; and the people are said to have cast farthings ‡ into the consul's house, in order to bury him with the greater pomp.

\* The freemen were beheaded, and the slaves crucified.

† To bring armed men into the temples of the gods, was an impious profanation of them; it was therefore necessary to purify them. In this ceremony they used sacrifices, holy water, aperients, and fumigations of sulphur, olive-branches, laurel-branches, and odorous herbs.

‡ This was really a mark of respect for the dead consul; not that his family was reduced to want. The Roman farthing, or 4th part of an as, was in value almost equal to our halfpenny.

CHAP. XIX. Peace being thus obtained, the tribunes urged the senators to perform the promise of P. Valerius. They pressed Claudius “to deliver the manes of his colleague from the imputation of fraud, by allowing the law to be proposed.” He absolutely refused, till they should chuse him a colleague. They continued to wrangle about this, till the comitia were held for the election of another consul. In the month of December, L. Quinctius Cincinnatus, Kæso’s father, was chosen consul by the vigorous efforts of the senators, and immediately entered upon his office. The plebeians were terribly alarmed, when they saw they were to have a consul, who was provoked against them, whose power was great by the favour he had with the senate, and was esteemed on account of his personal merit ; and who besides had three sons not inferior to Kæso in courage, but far surpassing him in prudence and discretion, when occasion required. He no sooner entered into office, than in the speeches he daily made in his tribunal, he was as bitter in his rebukes to the senators, as he was severe in checking the insolence of the commons. “To the want of resolution in your order,” said he to the senators, “it is owing, that the same tribunes from year to year, not as in the Roman republic, but in some disorderly house, by their licentious speeches and scandalous impeachments domineer over every thing. Together with my son Kæso, all merit, steadiness, and every quality that adorned youth in war or peace, had been banished and driven out of Rome. Babblers, seditious persons, and fowers of discord were, by base practices, a second, yea a third time chosen to serve the office of tribunes, and lived like kings with lawless sway. Does that same A. Virginius,” said he, “ less deserve punishment for not

“ not being in the Capitol, than Herdonius for  
“ seizing it ? By Hercules, whoever weighs the  
“ matter aright, will think he deserves it more.  
“ If Herdonius did no more, yet by openly de-  
“ claring himself your enemy, he, as it were,  
“ forewarned you to arm in your own defence.  
“ This Virginius, by denying there was any war,  
“ disarmed and exposed you defenceless to the  
“ mercy of your slaves and exiles. And did you  
“ (I say it with deference to C. Claudius, and re-  
“ verence to P. Valerius, who is dead) march up  
“ the hill to attack the Capitol, before you had  
“ destroyed these enemies, which were in the fo-  
“ rum ? Before gods and men it is a shame, that,  
“ when enemies were in possession of the citadel  
“ and Capitol, when a captain of exiles and slaves,  
“ after having profaned every thing, had taken up  
“ his quarters in the temple of Jupiter the good  
“ and great, arms should be taken up at Tuscu-  
“ lum, before they were at Rome. That it should  
“ be doubtful, whether L. Mamilius, the Tus-  
“ culan general, or C. Claudius and P. Valerius,  
“ the Roman consuls, had delivered the citadel of  
“ Rome ; and that we, who formerly would not  
“ suffer the Latins to arm, even in their own de-  
“ fence, when the enemy was incamped in their  
“ country, should at this time have been taken  
“ and destroyed, had not these very Latins, of  
“ their own good-will, taken up arms to relieve  
“ us. Is this, O tribunes, aiding the people, to  
“ expose them unarmed to be butchered by their  
“ enemies ? Truly, if the meanest wretch among  
“ your plebeians, whom ye have as it were dis-  
“ joined from the rest of the people, and formed  
“ a native country of your own, and a common-  
“ wealth peculiar to yourselves ; I say, if the  
“ meanest of them should bring you account of  
“ his house being beset by his slaves in arms, you  
“ would

“ would think it incumbent on you to send him  
“ succours. Did Jupiter, the best and greatest of  
“ beings, when surrounded by armed exiles and  
“ slaves, seem unworthy to be rescued by human  
“ aid ? And yet these very men insist upon be-  
“ ing counted inviolable, who reckon not the ve-  
“ ry gods themselves sacred and inviolable ! Do  
“ you, thus immersed in crimes against gods and  
“ men, boast that you shall have your law passed  
“ this year ? Unlucky indeed, if it is, was that day  
“ to the state, on which I was created consul;  
“ more unfortunate still than that on which it lost  
“ P. Valerius the consul, if you carry it. But  
“ first of all, Romans, my colleague and I are re-  
“ solved to lead the legions against the *Æqui* and  
“ Volsci. I know not by what fatality the gods  
“ are more propitious to us in war than in peace.  
“ What danger we were in from those people,  
“ had they known that the Capitol was in the pos-  
“ session of exiles, it is better to suspect from  
“ what is past, than in reality to feel.”

CHAP. XX. The consul's speech amazed the plebeians, while the senators began to resume courage, believing the state was reinstated in its former condition. The other consul better at seconding than making a motion, patiently suffered his colleague first to open this weighty matter, but claimed to himself a share in the execution of the consular office. But the tribunes, scoffing at his words as mere vapouring, proceeded to ask, “ how  
“ the consuls would lead out an army ? for none  
“ of their college would suffer them to make any  
“ levies.” Quinctius replied, “ We want none ;  
“ seeing, at the time when Valerius armed the  
“ people to retake the Capitol, they had all swore  
“ solemnly, that they would rendezvous at the  
“ consul's command, and not disband without his  
“ orders.

“ orders. Therefore we command all who took  
“ this oath to come to-morrow in arms to the lake  
“ Régillus.” Then began the tribunes to cavil,  
and would fain have absolved the people from that  
solemn obligation by this evasion, that Quinctius  
was only a private person, when they bound them-  
selves by the oath. But the contempt of the gods,  
which is so common in our age, was at that time  
unknown ; nor did any then interpret oaths or  
wrest the laws to their own purposes, but strictly  
conformed to them as the rule of their conduct.  
The tribunes, therefore, seeing no hopes left of  
being able to hinder the levies, consulted how to  
delay the army’s march ; the rather because there  
was a report spread, “ that the augurs had been  
“ ordered to attend at the lake Regillus. The  
“ place was to be consecrated, where, after ta-  
“ king the auspices, the consuls might treat with  
“ the people, in order to repeal, by their votes in  
“ the comitia, whatever laws had been passed at  
“ Rome by the violence of the tribunes. That  
“ there the people would agree to whatever the  
“ consuls pleased. The right of receiving appeals  
“ did not extend beyond a mile from the city, and  
“ the tribunes jurisdiction being confined to that  
“ distance, if they should come to the place of  
“ rendezvous, they would with the rest of the  
“ people be subject to the authority of the con-  
“ suls.” These things terrified them ; but what  
disquieted them most was what Quinctius often  
gave out, “ that he would not assemble the comi-  
“ tia for the election of consuls. That the affairs  
“ of state were reduced to that extremity, as ren-  
“ dered it impracticable to retrieve them by ordi-  
“ nary methods ; and there was a necessity for  
“ nominating a dictator in order to make them,  
“ who made it their business to disturb the tran-  
“ quillity of the republic, sensible that there was  
“ no appeal from that magistrate.”

CHAP. XXI. In the mean time the senate was met in the Capitol, whither the tribunes came with the people in the utmost consternation. The multitude made a great clamour; imploring the compassion sometimes of the consuls, and sometimes of the senators. But the consul was inflexible, till the tribunes had first promised to submit themselves for the future to what the senators should require of them. Then the consul made a motion in favour of the demands of the tribunes and people; and the senate came to the following resolutions,

“ That the tribunes should neither propose their law that year, nor the consuls lead an army out of the city. That, for the future, to continue the same magistrates in office from year to year, or to elect the same persons tribunes more than once, was by the senate judged inconsistent with the interest of the commonwealth.” The consuls submitted to this decree; but the same tribunes, in spite of the consuls remonstrances, were re-elected. The patricians, not to be behindhand with the plebeians, put Quinctius in nomination for the consulate. On no occasion did this consul exert himself, through the whole year, with greater vehemence than upon this. “ Is it any wonder,” says he, “ O Conscript Fathers, that your authority is contemptible to the people? You set light by it yourselves, when, because they have broke through an order of the senate, by continuing the same magistrates, you would do the same, that you may not be outdone by them in temerity, as if to be unsteady and wavering was to have most power in the republic. It is greater levity and folly to infringe acts and decrees of your own making, than those of others. Tread you, O conscript Fathers, in the steps of the giddy multitude, and do you who ought to be an example to others, rather

“ than

“ than set them a pattern of steady conduct, follow their precedents to do evil; whilst I, disdaining to copy after the example of the tribunes, will not suffer myself to be nominated again for the consulate contrary to the senate's decree. And let me conjure you in particular, C. Claudius, to restrain this licentiousness of the Roman people; and be assured by me, that I shall be so far from looking on your conduct herein, as obstructing my honour, that I shall count it an addition to the reputation I shall gain by despising this dignity, and as a lessening of that ill-will which being continued in that office would derive upon me.” Upon this the senators with common consent issued out a proclamation, “ That none should vote for L. Quinctius being consul; if he did, his suffrage should not be regarded.”

CHAP. XXII. Q. Fabius Vibulanus, and C. Cornelius Maluginensis were elected consuls. This was the third time Fabius had been raised to that dignity. This year a censuſ \* was held, but no lustrum was made, by reason of some religious scruples about the Capitol's having been polluted and the consul killed. In the beginning of this consulate, affairs were much embroiled; for the tribunes excited the people to sedition, and the Latins and Hernici sent intelligence, that the Æqui and Volsci were making great preparations for war. The Volscian army was already come to Antium, which colony the Romans dreaded would revolt. Besides, it was with great difficulty they could prevail with the tribunes to allow them to stop the progress of this war in time. Then the consuls shared the provinces between them; and it was Fabius's lot to march the legions to Antium,

\* This was the tenth since its first institution.

and Cornelius's to stay and guard the city, lest any part of the enemy's troops, as was usual with the *Æqui*, should come and ravage their lands. In the mean time the Hernici and Latins were commanded to furnish their quota of troops as stipulated by treaty, and two thirds of the army consisted of allies and one of Romans. These confederate troops having come at the appointed day, the consul pitched his camp without the gate Capena; from thence, after purifying his army by sacrifice, he marched to Antium, and sat down not far from that town and the enemy's camp. Upon this the Volsci, finding the *Æquan* forces were not come up, and not daring to fight alone, thought only of remaining quiet in their camp, and defending themselves within their intrenchments. Next day Fabius drew up his army, not in one united body of allies and citizens, but formed them into three separate battalions of Romans, Latins, and Hernici, each by themselves, round the enemy's lines. He placed himself in the centre with the Roman infantry. Then he ordered them to observe the signal, that both ~~they and the allies~~ might at the same time begin the attack, and retire together if he should find a retreat. After this he posted the cavalry of each people in the rear of their respective battalions. In this disposition he invested their camp in three different places, and attacking it vigorously on all sides, drove the Volsci, who were not able to sustain his charge, from their lines. Then getting immediately over the fortifications, and finding them in great consternation, and crowded together in one corner, he drove them out of their camp. As they fled thence in great disorder, the cavalry, who could not easily get over the trench, and had stood only spectators of the fight, having now got them in the open plain, shared in the victory by cutting

cutting them in pieces as they fled in great fright. Many of them were killed both within the camp and in the flight without the lines. The booty was the greater, because the enemy could scarcely carry their arms away with them; nor had a man of them escaped, had not the woods covered their flight.

CHAP. XXIII. During these exploits at Antium, the *Æqui*, in the mean time, sending the flower of their youth before, surprised the citadel of Tusculum in the night, and sat down with the rest of their army not far from the walls to intercept the enemy's forces. This news being brought by express to Rome, and from thence sent to the camp at Antium, affected the Romans as much as if they had been told that the Capitol was taken. The signal service done them by the Tusculans, still fresh in their memory, and the similitude of the calamity, seemed to demand succour in return. Fabius therefore, neglecting every thing else, conveyed the booty from the camp to Antium, where he left a small garrison, and marched with all expedition to Tusculum, suffering his soldiers to carry nothing with them but their arms, and such provisions as were ready dressed. The other consul, Cornelius, sent them provisions from Rome. The war lasted several months before Tusculum. Fabius with part of his army invested the enemy's camp, sending the rest to assist the Tusculans to recover their citadel, which was impregnable by all force. At last famine obliged the enemy to abandon it; who being reduced to the last extremity, were forced by the Tusculans to pass under the yoke naked and without their arms. The Roman consul pursued them in their shameful flight homewards, and coming up with them at Algidum, put every man of them to the sword. After

this

this victory, he led back his army, and incamped at Columnen \*, for so was the place then called. Cornelius likewise, seeing the city in no danger, now the enemy was defeated, marched out of Rome with the army under his command. Upon this the two consuls, entering the enemy's territories by two different ways, vied with one another in ravaging the country of the Volsci on one hand, and that of the Æqui on the other. I find in most authors, that the Antiates likewise revolted this year, and that L. Cornelius fought against them, and took their town. But I dare not positively affirm it, because I do not find it mentioned by any of the more ancient historians.

**CHAP. XXIV.** When this war was ended, another with the tribunes at home put the senators in great fright. They exclaimed against their cunning practices in keeping the armies in the field, as done with a view to prevent the passing of the law. Yet they declared they would go through with what they had undertaken. But P. Lucretius, governor of the city, prevailed with the tribunes to stop proceeding till the arrival of the consuls. There arose likewise a new ground of contention. A. Cornelius and Q. Servilius, at that time questors, appointed M. Volscius a day to take his trial, for having undoubtedly given false evidence against Kæso. For it appeared by many convincing proofs, that Volscius's brother, from the time he had been taken ill, not only had never been seen abroad, but had not so much as rose out of bed; and after languishing for many months under the disease, had at last died of it: neither had Kæso been seen at Rome at the time his accuser had laid in the indictment against him; many

\* Now Colonna.

who

who served with him in the wars affirming, that he had been all that time constantly attending his colours without any furlough : and many undertook to prove it was so. But he durst not venture to stand this trial ; and from all these concurring circumstances it was no more doubted that Volscius would certainly be condemned, than that Kæso had been so upon his single testimony. But the tribunes stopt the trial, refusing to let the questors hold the comitia for trying of the accused, except they were first assembled for enacting the law. Thus were both these matters deferred till the return of the consuls. And as, on the consuls entering the city in triumph with their victorious army, no mention was made of the law, most people believed that the tribunes had been terrified by their presence. On the contrary, it being the latter end of the year, they, ambitious of getting themselves elected for the fourth time, had dropped all disputes about the law, referring themselves to make interest against next election. And notwithstanding the consuls opposed the re-election of the same tribunes as vigorously, as if a bill had been brought in for lessening their own authority ; yet the tribunes got the victory in the struggle. The same year the Æqui sued for peace, which was granted them ; and the census, which had been begun in the former year, was completed. This was the tenth lustration which had been made since the foundation of the city. One hundred thirty-two thousand four hundred and nine citizens were inrolled. This year the consuls gained great glory by their conduct both in peace and war ; for they made peace with all their neighbours ; and the state, though not entirely free from civil dissensions, was yet less embroiled than at other times.

CHAP. XXV. Then were L. Minucius and C. Nautius made consuls, who took under consideration the two causes which had not been determined the former year. The consuls opposed the law, and the tribunes the trial of Volscius in the same manner: but the new questors were men of more resolution, and had greater weight than the former. There was in that office T. Quinctius Capitulinus, who had been thrice consul. He, since Kæso, the flower of the young men, could neither be restored to the Quinctian family, nor to the republic, prosecuted the person who had given false evidence against him, and deprived an innocent person of pleading his own cause, with a just and lawful war. When Virginius and the other tribunes strenuously insisted on having the law passed, the consuls had the space of two months allowed them to examine it, that, after unravelling to the people the fraudulent designs concealed under it, they might suffer the suffrages to be collected for ratifying it. The granting of this respite produced a general tranquillity in the city. But the Aequi did not allow them to be long in quiet; for having broken the treaty which they had made the year before with the Romans, they gave the command of their army to Gracchus Cloelius, who was at that time by far the greatest man amongst them. Under his command, therefore, passing through the Lavican territories, they entered and laid waste those of Tusculum in an hostile manner, and loaden with spoil incamped at Algidum. Thither came Q. Fabius, P. Volumnius, and A. Postumius, as ambassadors from Rome, to complain of the injuries they had done, and to demand restitution of goods according to treaty. But the Aequan general commanded them “to deliver the “ commission they had from the senate of Rome “ to the oak-tree; for in the mean time he had o-  
“ ther

" ther business to mind." - The oak-tree he spoke of, was a large one that hung over his tent, and by its branches formed a cool shade. Upon which one of the ambassadors as he departed, said, " Let this sacred oak, and whatever god inhabits it, mark your breach of treaty. May they regard our present complaints, and in a little time prosper our arms, when we shall punish you for your violation of the laws both of gods and men." As soon as the ambassadors were returned to Rome, the senate ordered one of the consuls to march with an army to Algidum against Gracchus; and to the other they assigned the province of laying waste the territories of the *Æqui*. The tribunes, as usual, opposed the levies at first, and probably would have done so to the last, but a new cause of fear was suddenly added.

**CHAP. XXVI.** A great army of Sabines advanced within a little of the walls of the city, ravaging all before them in an hostile manner. The Roman lands were laid waste, and the city was in great consternation. Then the people cheerfully took arms, and, in spite of all the tribunes could do to hinder it, two great armies were levied. Nautius led one of them against the Sabines, and incamped at Eretum \*; from whence sending out small detachments, and these mostly in the night, he committed such terrible depredations, that, upon comparison, the Roman territories seemed scarcely to have been touched by the enemy. But Minucius had neither equal courage nor success in his expedition; for having incamped close by the

\* Eretum was a city belonging to the Sabines, and lay not far from the Tiber. Several Roman itineraries place it on a high hill in the Salarian way, now called *Monte rotundo*. Solinus says it was built by the Greeks, who gave it the name of Eretum, from "Hera, Juno, to whom it was consecrated."

enemy, without sustaining any considerable loss, he kept within his camp for fear. The enemy no sooner perceived his cowardice, than, as usually happens, their courage was greatly animated. They therefore attacked his camp in the night; but seeing open force did not succeed, the next day drew lines round it. Before these were quite finished, and all the ways blocked up, five horsemen dispatched for the purpose got through the enemy's centinels, and carried the accounts to Rome, that the consul and army were besieged. Nothing more unexpected or less looked for could have happened; and it occasioned as great terror and consternation at Rome, as if the city itself, instead of the camp, had been invested. Upon this they sent for the consul Nautius; but as they could have no dependence upon him, they judged it proper to have a dictator to retrieve their embarrassed affairs, and unanimously pitched upon L. Quinctius Cincinnatus to fill that office. It is worth those persons while, who despise every human endowment in comparison with riches, and think that there can be no real greatness or distinguished merit without a flow of wealth, to attend to the following narration. This L. Quinctius, the sole prop of the Roman state, cultivated with his own hand four acres of land, which are called the Quinctian meadows \*, and lie on the other side of the Tiber, opposite to that very place where the ship-docks † now are. There was this great man found by the senate's deputies, either digging a ditch with a spade, or at plough: at least this is certain, that he was busily employ-

\* According to Pliny, this meadow lay in Agro Vaticano, between the vineyard of Medicis, the castle of St Angelo, and the gate of the people. It is now called *Di Prati*.

† This place was near the bridge Sublicius. King Ancus Marcius built it as a landing-place for the vessels who brought wine to Rome. From thence the gate on that side of the city was called *Porta vinaria*.

ed about his farm. When the usual compliments on both sides were over, they begged him "to put " on his gown, and hear the senate's message; " praying it might prove auspicious both to himself and to the state." Upon this asking them in consternation, "If all was well?" he desired his wife Racilia with all expedition to fetch his gown from their cottage; and after wiping off the dust and sweat with which he was besmeared, he put it on, and went out to them. The deputies saluted him dictator with the usual compliments, desired him to go to the city, and informed him of the danger the army was in. A barge was sent before by the state to carry Quintius over the river. On his landing he was first received by his three sons who had come out to meet him, and then by his other relations and friends, and the greatest part of the senators. Surrounded by this train, and preceded by the lictors, he was led to his house. There was likewise a great concourse of the commons, to whom Quintius's arrival was no joyful sight, as they thought his power too great, and himself too severe in the exercise of his authority. And indeed they kept watch in the city all that night.

CHAP. XXVII. The next morning the dictator came into the forum before day-light, and nominated, for general of the horse, L. Tarquitius, a patrician by birth, who, though on account of his poverty he had served in the infantry, was nevertheless esteemed by far the best soldier among the Roman youth. With him he mounted the rostra, proclaimed a vacation in all the courts of justice, ordered all the shops throughout the city to be shut up, and prohibited every man from following his private business. Then he commanded all capable of bearing arms to rendezvous before sunset

set in the Campus Martius with their arms, provisions for five days ready dressed, and twelve palisades apiece. Those whom age had rendered unfit for service in the field, he ordered to dress provisions for the soldier who lived next to him, while he was getting ready his arms and fetching stakes. Upon this proclamation the youth dispersed themselves every where in quest of stakes, and took them where they came to hand, without any one's hindering them. They were all quickly ready at the place of rendezvous according to the dictator's orders. Then the dictator at the head of the infantry, and the general of horse at the head of the cavalry, led out the army drawn up, not only in a disposition for marching, but fighting, if occasion should offer. Each corps was animated by arguments suited to the present emergency. They were bid, "to mend their pace, "for it was necessary to make expedition, in "order, if possible, to come up with the enemy "that night. They ought to consider a Roman "consul and army were besieged, and had been "close invested for three day. It was uncertain "what a night or a day might bring forth. Even "a single moment often determined the most im- "portant events." To gratify their leaders, the soldiers called out to one another, "March on, "standardbearer, follow soldier." They reach Algidum by midnight, and as soon as they perceived themselves near the enemy, make their ensigns halt.

CHAP. XXVIII. Then the dictator riding round the enemy's camp, and having observed, as distinctly as the darkness of the night would permit, its form and extent, ordered the tribunes to command the baggage to be heaped up in one place, and the soldiers to return with their arms and

and stakes into their ranks. His orders were quickly obeyed. Then he extended his army round their camp in the same good disposition as they had marched, commanding them all, whenever the signal should be given, to raise a shout, and after that, every one to throw up a ditch, and fix his stake before him. The signal soon followed these orders; which the army punctually observed, and their shout was heard round the enemy on all sides. The noise soon reached over the Aequan camp into the consul's, exciting great terror in the one, and joy in the other. Minucius's soldiers, congratulating one another on hearing the shouts of their fellow-citizens, and relief being at hand, of themselves put the enemy in fear from their advanced and piquet guards. The consul told them there was no time to be lost. "That the shout  
" they had heard signified to them, not only the  
" arrival of their fellow-citizens, but that they  
" had already entered on action; and that it was  
" something surprising if the enemy's lines were  
" not by this time attacked on the outside. There-  
" fore he commanded them to take their arms, and  
" follow him." Upon that the legions began the attack in the night, and by a shout informed the dictator that the enemy were also in danger from them on the inside. The Aequi had been preparing to prevent the dictator from raising works quite round them; but when the enemy from within began their attack, fearing they would cut their way through the middle of their camp, they turned to those who were fighting on the inside, and left the dictator's men to work the whole night without interruption. The engagement with the consuls lasted till day-break, by which time Quintus had drawn his works quite round them, and they were hardly a match for one of the armies. Then the dictator's troops, who had returned, or

finishing their work, to their arms, attacked their lines. Here began a new battle, without any respite from the consul's army, which still fought on. The *Æqui*, thus hard pressed by an army on both sides, threw down their arms, and begged quarter, conjuring on the one side the dictator, on the other the consul, not to pursue the victory to their utter destruction, but to allow them to depart from thence without their arms. The consul commanded them to go to the dictator; who, highly provoked, heaped marks of infamy upon them, ordering them to bring their general Gracchus Cælius, and their other chief men to him in chains, and evacuate the city of Corbio; telling them, "that  
 " he did not want to shed their blood, and therefore would allow them to depart: but at the same time he would, as an express acknowledgement of their being at length a subdued and conquered nation, oblige them to pass under  
 " the yoke at their departure." This yoke was made of three spears, two stuck in the ground, and a third laid across them; and this the dictator made them pass under.

CHAP. XXIX. Having taken the enemy's camp, which was plentifully furnished with all kinds of stores, (for he had stript them of every thing), he gave the whole booty to his own soldiers. And after chiding the consular army and the consul himself, he told them, " Nor shall you, soldiers, have any share in the spoils taken from an enemy, to whom you had nigh fallen a prey.  
 " As for you, L. Minucius, till you shall begin to have that courage requisite in a consul, you shall only serve as a lieutenant-general in this army." Upon this Minucius abdicated the consulship, and staid with the army as commandad. But so chearfully did men in those days submit

mit to the orders of abler officers, that the consular army, regarding it rather as a favour than a disgrace, decreed a crown of gold of a pound weight to the dictator, and at his departure saluted him their deliverer. The senate being convened at Rome by Q. Fabius, governor of the city, decreed that Quinctius should enter the city in triumph with the army he brought along with him. The generals of the enemy were led before his chariot, the military ensigns carried before him, and his army loaden with spoil closed the procession \*. It is said, that entertainments were served up at every man's door, and thus regaling themselves they followed his chariot singing songs of triumph, dancing, and making pastime, as they used to do at their annual feasts. The same day Mamilius, governor of Tusculum, was, by common consent, presented with the freedom of Rome. The dictator would have immediately abdicated his office, had not the trial of Volscius for false evidence prevented him. The tribunes kept quiet for fear of the dictator, and did not offer to obstruct the trial ; Volscius was condemned, and afterwards sent into exile to Lanuvium. Though Quinctius had received the dictatorship for six months, he laid it down on the sixteenth day. In the mean time the consul Nautius fought successfully against the Sabines, and, besides laying waste their country, routed them in a general battle. Fabius was sent to Algidum to succeed Minucius. In the end of the year the law was again brought upon the carpet by the tribunes. But because two armies were abroad, the senators prevailed that no bills should be offered to the people ; who in their turn succeeded in chusing the same tribunes a fifth time. It was then reported that wolves had been

\* According to the Capitoline marbles, Quinctius triumphed on the Ides, i. e. the 13th day of September.

seen in the Capitol, and were chased away by dogs, for which it was purified.

CHAP. XXX. These were the memorable events of this year. The consuls for the next were Q. Minucius and C. Horatius Pulvillus. In the beginning of it, though they enjoyed peace abroad, yet the same tribunes and the same law occasioned disturbances at home ; which probably would have risen to a greater height (so much were their hearts inflamed), had not account been brought, as if it had been purposely contrived, that the garrison of Corbio was surprised in the night by a sudden assault of the *Æqui*. Upon which the consuls assembled the senate, and order was given to levy an army with all expedition, and to send it to Algidum. Then laying aside all disputes about the law, a new contest arose about the levies, in which the consular authority was worsted by the people with the assistance of the tribunes, when a new cause of terror was added to the former. The Sabine army had made a descent into the Roman territories for plunder, and from thence were advancing even to the city. This struck such a terror, that the tribunes consented to the levies, but upon this express condition, that, as they had now been baffled for five years successively, and their present number was but a weak protection for the people, for the future ten tribunes of the people should be created. Necessity extorted this from the senators, with this single restriction, that they should not henceforth re-elect the same persons to be tribunes. Immediately the comitia were held for electing ten tribunes, for fear, like other things, it should not take effect when the war was ended. Thus in the thirty-sixth year after the first tribunes, were ten created, two out of each class, and care was taken ever after to chuse them in this

this manner. Upon which the levies were made. Minucius marched against the Sabines, but did not meet with them. The *Æqui*, after putting the garrison of Corbio to the sword, having likewise taken Ortona, Horatius fought them at Algidum, killed many of their men, drove them not only from thence, but out of the two forementioned cities, and razed Corbio, because its inhabitants had betrayed the garrison.

**C H A P. XXXI.** After that were M. Valerius and Sp. Virginius made consuls. Rome then enjoyed peace both at home and abroad; but the rains which fell occasioned a great scarcity of provisions. A law was likewise passed for making Mount Aventine common. The same tribunes were rechosen, who in the following year, and consulate of T. Romilius and C. Veturius, proposed the law in all their assemblies, saying, they should be ashamed of having had their number augmented in vain, if that affair was to be eluded all the two years of their tribuneship, as it had been during the five preceding years. While the tribunes were wholly intent upon this affair, an express arrived from Tusculum, with account that the *Æqui* had invaded that country. The late eminent service that nation had done the Romans, made them ashamed to delay sending succours thither; and therefore both consuls were detached with an army, who found the enemy in their ordinary camp at Algidum. There they attacked and killed above seven thousand of them, put the rest to flight, and got a great booty, which the consuls sold, because of the want of money in the treasury. Yet this proceeding raised a great deal of ill-will in the army, and in the end furnished the tribunes with matter of accusing the consuls before the people. As soon therefore as they were out of office,

both had a day appointed for their trial; under the consulate of Sp. Tarpeius and A. Aterius. Romilius was prosecuted by the tribune C. Claudius Cicero, as was Veturius by L. Alienus, ædile of the people. Their condemnation extremely exasperated the senators. Romilius was fined ten thousand, and Veturius fifteen thousand brass asses. But this misfortune which befel these former consuls did not make their successors less active, who swore, that though they should likewise be condemned, yet the people and tribunes should not be allowed to carry their law. Upon this the tribunes, dropping the law, which was now grown stale by being often published, assumed a milder behaviour towards the senators, begging them, "at length to put an end to all contests; and since the plebeian laws displeased them, to allow indifferent lawgivers, part plebeians and part patricians, to be created, who might enact laws for the common benefit, and equally securing the liberty of both ranks." The senators did not slight this proposal, but insisted that none but patricians had a right to enact laws. When therefore they were agreed upon the laws, the sole dispute was who should be the law-makers. And in the end Sp. Postumius Albus, A. Manlius, and P. Sulpicius Camerinus were sent as deputies to Athens to copy the celebrated laws of Solon \*, and to learn the statutes, customs, and laws of the other states of Greece.

CHAP. XXXII. No foreign war disturbed the Romans this year. The following was still more peaceable in the consulate of P. Curiatius and

\* One of the seven wise men of Greece. He was contemporary with Tarquinus Priscus, and about the time of that king's reign gave the Athenians a body of wise and wholesome laws. A. Gel. xvii. 21,

Sextus Quinctilius; for the tribunes were then very quiet, in the first place because the ambassadors were gone to Athens, and in expectation of foreign laws; and in the next place, on account of two grievous calamities which broke out, famine and pestilence, pernicious both to man and beast. Their lands lay desolate, the city was thinned by daily burials, and many and honourable houses in mourning. Ser. Cornelius high priest of Romulus died, as did the augur C. Horatius Pulvillus; in whose room the augurs chose C. Veturius, the rather because he had been condemned by the people. Quinctilius the consul and four tribunes of the people likewise died; and thus was the year polluted by a great mortality. In the mean time their enemies gave them no disturbance. In the following, C. Menenius and P. Sestius Capitolinus were created consuls. Neither had they any foreign war, but intestine commotions broke out. By this time the ambassadors were returned with the Athenian statutes, and on that account the tribunes were more pressing in their instances for beginning to draw up a complete body of laws. Then was it thought convenient to create decemvirs from whose judgment there should be no appeal, and that there should be no other magistrates that year. For some time it was warmly debated, whether plebeians should be joined in that commission; but in the end it was given up to the patricians, upon condition the Icilian \* law about mount Aventine, and other sacred laws, should not be repealed.

### CHAP. XXXIII. In the 302d year after the

\* The Roman laws got their names from the names of the persons who proposed them. This Icilian law is mentioned by the author in the former chapter; the other sacred laws concerning the tribunes, in the 33d chap. of b. 2.

building of Rome, was the form of government changed from that of consuls to that of decemviri, as it had formerly been from regal to consular. This revolution was the less memorable as it did not continue long. Upon the first establishment of this form of government the public joy was very extravagant; but the tyranny of the decemvirs hastened its downfall, and the restoration of consular government both in name and authority. Appius Claudius, T. Genucius, P. Sestius, L. Veturius, C. Julius, A. Manlius, Ser. Sulpicius, P. Curiatius, T. Romilius, and Sp. Postumius, were created decemvirs. This honour was conferred on Claudius and Genucius, as a recompence for their having been nominated consuls for that year, and on Sestius, one of the consuls the year before, because he had brought that affair before the senate against his colleague's will. After them were named the three deputies who had gone to Athens, as an honourable reward for their distant embassy, and because they supposed that those who were well skilled in the laws of other countries, would be useful in compiling new ones at home. The others mentioned above, completed the number. It is moreover asserted, that those who were nominated last of all, were persons so far advanced in years, that they were not able resolutely to combat the opinions of the others. By the favour of the people Appius had the chief sway in the decemvirate; for he had so new modelled his temper, that of a cruel and severe persecutor of the plebeians, he was now become one of their greatest patrons, and studied popularity in every respect. Each of these new magistrates administered justice to the people every tenth day, with the fasces carried before him whose turn it was to preside, the other nine being that day only attended.

attended each by a single officer\*. And during this harmony amongst themselves (which often proves prejudicial to private persons) they behaved towards others with the strictest justice. It shall be sufficient to mention one affair as a proof of their moderation. Notwithstanding they had been created without any appeal from their judgment, yet upon a dead body's being found and dug out of the house of P. Sestius, a patrician by birth, and its being exposed in the public assembly, in so manifest and so atrocious a case, C. Julius a decemvir appointed him a day for taking his trial; and though he himself was the legal judge of that cause, yet he became his prosecutor before the people, yielding his own right, that he might add to the right of the people what he had remitted of his own decemviral authority.

CHAP. XXXIV. While both high and low extolled to the skies this form of government, which rendered justice to every one with the greatest readiness and the impartiality of an oracle, the decemvirs set about compiling a body of laws. At length they gratified all mens expectations by calling the people to an assembly, and exposing to view ten tables of laws; and after praying, "that it might prove beneficial, fortunate, and auspicious to the state, to themselves and their posterity, desired them to go and read the laws they had proposed. For their own parts, as far as the united skill of ten men could discern, they had equally adapted them to the circumstances of both high and low; but the judgment and discernment of many was able to penetrate farther. Therefore they begged that the people should ponder with themselves each

\* This officer was called *accensus*.

" article,

" article, confer together about them, and then  
 " declare in public, what they should think  
 " superfluous or defective in each clause; by this  
 " means the Romans might have such laws as  
 " they had not merely passed when proposed by  
 " others, but had rather concerted themselves." When each clause had remarks made upon it, in these conferences of the people, and the whole seemed amended to the general satisfaction, ten tables of laws \* were ratified in the comitia by centuries;

\* We shall here give the reader the scattered remains of this body of laws, as collected by the Fathers Catrou and Rouillé.

T A B L E I.  
O r L A W S U I T S.

I. LAW. Go immediately with the person who cites you before the judge.

II. LAW. If the person you cite refuses to go with you before the judge, take some that are present to be witnesses of it, and you shall have a right to compel him to appear.

III. LAW. If the person cited endeavours to escape from you, or puts himself into a posture of resistance, you may seize his body.

IV. LAW. If the person prosecuted be old, or infirm, let him be carried in a jumentum, or open carriage. But if he refuse that, the prosecutor shall not be obliged to provide him an arca, or a covered carriage.

V. LAW. But if the person cited find a surety, let him go.

VI. LAW. Only a rich man shall be security for a rich man. But any security shall be sufficient for a poor man.

VII. LAW. The judge shall give judgment according to the agreement made between the two parties, by the way.

VIII. LAW. If the person cited has made no agreement with his adversary, let the praetor hear the cause from sun-rising till noon; and let both parties be present when it is heard, whether it be in the forum, or comitium.

IX. LAW. Let the same praetor give judgment in the afternoon, though but one of the parties be present.

X. LAW. Let no judgments be given after the going down of the sun.

XI. LAW. When the parties have pitched upon a judge or arbitrator by consent, let them give securities, that they will appear. Let him who does not appear in court pay the penalty agreed upon, unless he was hindered by some great fit of fickleness, or by the performance of some vow, or by business of state, or by some indispensable

centuries; and these are even to this day, amidst the immense heap of laws accumulated upon one

indispensable engagement with a foreigner. If any one of these impediments happen to the judge or arbitrator, or either of the parties, let the hearing be put off to another day.

XII. LAW. Whoever shall not be able to bring any witness to prove his pretensions before the judge, may go and make a clamour for three days together, before his adversary's house.

T A B L E II.  
Or ROBBERIES.

I. LAW. He that is attacked by a robber in the night, let him not be punished if he kills him.

II. LAW. If the robbery be committed by day, and if the robber be taken in the fact, let him be beaten with rods, and become the slave of him whom he robbed. If the robber be a slave already, let him be beaten with rods, and thrown down headlong from the top of the Capitol. If he be a child, under the age of puberty, let him be corrected, according to the prætor's discretion, and let reparation be made to the injured party.

III. LAW. When robbers attack any person with arms, if the person attacked has cried out for help, he shall not be punished if he kills the robbers.

IV. LAW. When, upon a legal search, any stolen goods are found in a house, the robbery shall be punished upon the spot, as if openly and publicly committed.

V. LAW. For robberies committed privately, the robber shall be condemned to pay double the value of the things stolen.

VI. LAW. Whoever shall cut down trees which do not belong to him, he shall pay 25 asses of brass, for every tree so felled.

VII. LAW. If any one comes privately, by night, and treads down another man's field of corn, or reaps his harvest, let him be hanged up, and put to death, as a victim devoted to Ceres. But if he be a child, under the age of puberty, let the prætor order him to be corrected as he shall think fit, or let double satisfaction be made for the damage he has done.

VIII. LAW. If a robber and the person robbed agree together upon terms of restitution, no farther action shall lie against the robber.

IX. LAW. Prescription shall never be pleaded as a right to stolen goods, nor shall a foreigner have a right to the goods of any Roman citizen, by the longest possession.

X. LAW. If any one betrays his trust, with respect to what is deposited in his hands, let him pay double the value of what was so deposited, to him who intrusted him with it.

XI. LAW. If any one finds any of his goods in another man's possession, who became possessed of them by a breach of trust, let the

one another, the source of all public and private right. Then a report was spread, that two tables were

the praetor nominate three arbitrators to judge of it. And let the wrongful possessor pay double the value of what he has gained by detaining them.

XII. LAW. If a slave has committed a robbery, or done any damage, with the privity and at the instigation of his master, let the master deliver up the slave to the person injured, by way of compensation.

### T A B L E III.

#### OF LOANS, AND THE RIGHT OF CREDITORS OVER THEIR DEBTORS.

I. LAW. Let him who takes more than one *per cent.* interest for money, be condemned to pay four times the sum lent.

II. LAW. When any person acknowledges a debt, or is condemned to pay it, the creditor shall give his debtor thirty days for the payment of it : after which he shall cause him to be seized, and brought before a judge.

III. LAW. If the debtor refuses to pay his debt, and can find no security, his creditor may carry him home, and either tie him by the neck, or put irons upon his feet, provided the chain does not weigh above fifteen pounds; but it may be lighter if he pleases.

IV. LAW. If the captive debtor will live at his own expense, let him ; if not, let him who keeps him in chains allow him a pound of meal a-day, or more, if he pleases.

V. LAW. The creditor may keep his debtor prisoner for sixty days. If in this time the debtor does not find means to pay him, he that detains him shall bring him out before the people three market-days ; and proclaim the sum of which he has been defrauded.

VI. LAW. If the debtor be insolvent to several creditors, let his body be cut in pieces on the third market-day. It may be cut into more or fewer pieces with impunity : or, if his creditors consent to it, let him be sold to foreigners beyond the Tiber.

### T A B L E IV.

#### OF THE RIGHT OF FATHERS OF FAMILIES.

I. LAW. Let a father have the power of life and death over his legitimate children, and let him sell them when he pleases.

II. LAW. But if a father has sold his son three times, let the son then be out of his father's power.

III. LAW. If a father has a child born which is monstrously deformed, let him kill him immediately.

IV. LAW. Let not a son, whose father has so far neglected his

were still wanting, the addition of which would make the body of Roman laws complete. This expectation,

his education as not to teach him a trade, he obliged to maintain his father in want; otherwise let all sons be obliged to relieve their fathers.

V. LAW. Let not a bastard be obliged to work to maintain his father,

#### T A B L E V.

##### OF INHERITANCES AND GUARDIANSHIPS.

I. LAW. After the death of a father of a family, let the disposition he made of his estate, and his appointment concerning the guardianship of his children, be observed.

II. LAW. If he dies intestate, and has no children to succeed him, let his nearest relation be his heir; if he has no near relation, let a man of his own name be his heir.

III. LAW. When a freedman dies intestate, and without heirs, if his patron be alive, or has left children, let the effects of the freedman go to the family of his patron.

IV. LAW. After the death of a debtor, his debts shall be paid by his heirs, in proportion to the share they have in his inheritance. After this they may divide the rest of his effects, if they please, and the prætor shall appoint three arbitrators to make the division.

V. LAW. If a father of a family dies intestate, and leaves an heir under age, let the child's nearest relation be his guardian.

VI. LAW. If any one becomes mad, or prodigal, and has no body to take care of him, let a relation, or if he has none, a man of his own name, have the care of his person and estate.

#### T A B L E VI.

##### OF PROPERTY AND POSSESSION.

I. LAW. When a man conveys his estate to another, let the terms of the conveyance create the right.

II. LAW. If a slave who was made free on condition of paying a certain sum, be afterwards sold, let him be set at liberty, if he pay the person who has bought him, the sum agreed upon.

III. LAW. Let not any piece of merchandise, though sold and delivered, belong to the buyer, till he has paid for it.

IV. LAW. Let two years possession amount to a prescription for lands, and one for moveables.

V. LAW. In litigated cases the presumption shall always be on the side of the possessor: and in disputes about liberty or slavery, the presumption shall always be on the side of liberty.

expectation, when the day for a new election approached, made them desirous of electing decemvirs

T A B L E VII.  
O F T R E S P A S S E S A N D D A M A G E S.

I. L A W. If a beast does any damage in a field, let the master of the beast make satisfaction, or give up his beast.

II. L A W. If you find a rafter or pole which belongs to you, in another man's house or vineyard, and they are made use of, do not pull down the house, or ruin the vineyard; but make the possessor pay double the value of the thing stolen; and when the house is destroyed, or the pole taken out of the vineyard, then seize what is your own.

III. L A W. Whoever shall maliciously set fire to another man's house, or an heap of corn near his house, shall be imprisoned, scourged, and burnt to death. If he did it by accident, let him repair the damage: and if he be a poor man, let him be slightly corrected.

IV. L A W. Whoever shall deprive another of the use of a limb, shall be punished according to the law of retaliation, if the person injured does not agree to accept some other satisfaction.

V. L A W. If he has only dislocated a bone, let him pay three hundred pounds of brass if the sufferer be a freedman, and a hundred and fifty if he be a slave.

VI. L A W. For common blows with the fist, and injurious words, the punishment shall be twenty-five asces of brass.

VII. L A W. Whoever flanders another by words, or defamatory verses, and injures his reputation, shall be beaten with a club.

VIII. L A W. Let him who has once been a witness, and refuses to bear witness again, though a public person, be deemed infamous, and made incapable of bearing witness any more.

IX. L A W. Let every false witness be thrown down headlong from the Capitol.

X. L A W. Whoever shall wilfully kill a freedman, or shall make use of magical words to hurt him, or shall have prepared poison for him, or given it to him, shall be punished as an homicide.

XI. L A W. Let all parricides be thrown into the river, sewed up in a leather-bag, and with their heads veiled.

XII. L A W. The guardian who manages the affairs of his ward ill, shall be reprimanded; and if he be found to have cheated him, he shall restore double.

XIII. L A W. A patron who shall have defrauded his client, shall be execrable.

T A B L E VIII.  
O F E S T A T E S I N T H E C O U N T R Y.

I. L A W. Let the space of two feet and a half of ground be always left between one house and another.

virs a second time. For besides that the name of consul was as odious as that of king, the commons did

II. LAW. Societies may make what by-laws they please among themselves, provided they do not interfere with the public laws.

III. LAW. When two neighbours have any disputes about their bounds, the prætor shall assign them three arbitrators.

IV. LAW. When a tree planted in a field does injury to an adjoining field by its shade, let its branches be cut off fifteen feet high.

V. LAW. If the fruit of a tree falls into a neighbouring field, the owner of the tree may go and pick it up.

VI. LAW. If a man would make a drain, to carry off the rain-water from his ground to his neighbour's, let the prætor appoint three arbitrators, to judge of the damage the water may do, and prevent it.

VII. LAW. Roads shall be eight feet wide, where they run straight, and where they turn, sixteen.

VIII. LAW. If a road between two fields be bad, the traveller may drive through which field he pleases.

#### T A B L E IX.

##### O F T H E C O M M O N R I G H T S O F T H E P R O P L E.

I. LAW. Let not privilege be granted to any person.

II. LAW. Let both debtors who are got out of slavery, and strangers who have rebelled, and returned to their duty, be restored to their ancient rights, as if they had never offended.

III. LAW. It shall be a capital crime for a judge or arbitrator to take money for passing judgment.

IV. LAW. Let all causes, relating to the life, liberty, or rights of a Roman citizen, be tried only in comitia by centuries.

V. LAW. Let the people appoint questors, to take cognisance of all capital cases.

VI. LAW. Whoever shall hold seditious assemblies in the city by night, shall be put to death.

VII. LAW. Let him who shall have solicited a foreigner to declare himself against Rome, or shall have delivered up a Roman citizen to a foreigner, lose his life.

VIII. LAW. Let only the last laws of the people be in force.  
[ i. e. let the last supersede all former ones, in the same case made and provided.

#### T A B L E X.

##### O F F U N E R A L S , A N D A L L C E R E M O N I E S R E L A T I N G T O T H E D E A D .

I. LAW. Let no dead body be interred, or burnt, within the city.

II. LAW. Let all coffin-bearers and excessive wailings be banished from funerals.

did not now desire the protection of their tribunes; seeing the decemvirs suffered appeals from one another's sentences.

CHAP. XXXV. The day of assembly for electing new decemvirs being fixed twenty-seven days after, there was such canvassing for that office as had never been known. For the principal men of the state (for fear, I believe, that an office of so great authority, if not supplied by themselves, should lie open to persons unworthy of it) made interest for that honourable office, the establishment whereof they themselves had opposed with all their

III. LAW. Let not the wood with which funeral-piles are built be cut with a saw.

IV. LAW. Let the dead body be covered with no more than three habits, bordered with purple; and let no more than ten players upon the flute be employed in celebrating the obsequies.

V. LAW. Let not the women tear their faces, or disfigure themselves, or make hideous outcries.

VI. LAW. Let not any part of a dead body be carried away, in order to perform other obsequies for the deceased, unless he died in war, or out of his own country.

VII. LAW. Let no slaves be embalmed after their death; let there be no drinking round a dead body; nor let any perfumed liquors be poured upon it.

VIII. LAW. Let no crowns, festoons, perfuming-pots, or any kind of perfume, be carried to funerals.

IX. LAW. If the deceased has merited a crown in the public games, by any exploit of his own, or the expertness of his slaves, or the swiftness of his horses, let his panegyric be made at his funeral, and let his relations have leave to put a crown upon his head, as well during the seven days he remains in the house, as when he is carried to be buried.

X. LAW. Let no man have more than one funeral made for him, or than one bed put under him.

XI. LAW. Let no gold be used in obsequies, unless the jaw of the deceased has been tied up with a gold thread. In that case the corpse may be interred or burnt with the gold thread.

XII. LAW. For the future let no sepulchre be built, or funeral pile raised within sixty feet of any house, without the consent of the owner of the house.

XIII. LAW. Prescription shall never be pleaded against a man's right to his burial-place, or the entrance to it.

might,

night, humbly suing to that very people with whom they had contended about it. Appius was terribly alarmed, when he saw men of their rank and years, and who had served in such honourable employment, so warm in pursuit of this. One could not well say, whether he was to be reckoned in the number of the present decemvirs, or of the candidates for the ensuing election; for he more resembled one suing for, than one actually bearing an office. He disparaged the nobility, but extolled the lowest and meanest of the competitors, flying through the forum in the midst of the Duilii and Icili, by them making his court to the people; till at length his colleagues, who to that time had been entirely at his devotion, began to observe him narrowly, wondering what his design could be. It appeared to them, that he was acting the hypocrite; for, said they, "it must be from interested views that one so excessively haughty was become so courteous. To restrain himself so much contrary to his nature within the bounds of civility, and to associate openly with private persons, did not look so like man king haste to abdicate, as seeking the means to continue in his magistracy." They durst not openly venture to oppose his ambitious designs, but endeavoured to stop his career by a feigned compliance. For though he was the youngest man among them, they unanimously appointed him to preside in the comitia at the election. This was a stratagem to exclude him from the decemvirate except he should name himself, which had never been done before by any but tribunes of the people, and even that was a most shameful precedent. Nevertheless he having declared he would hold the comitia, which he hoped would prove fortunate, turned the obstacles thrown in his way into means of success; for having by his intrigues set aside

the two Quintii, Capitolinus and Cincinnatus, and his uncle C. Claudius, a man always firmly attached to the interest of the nobility, and other citizens of the same distinction, he created men decemvirs, no wise to be compared with them, either in dignity or character, and nominated himself first, an action which all good men disapproved, and nobody believed he would have had the impudence to have done. His colleagues were M. Cornelius Maluginensis, M. Sergius, L. Minucius, Q. Fabius Vibulanus, Q. Poetelius, T. Antonius Merenda, K. Duilius, Sp. Oppius Cornicen, and M. Rabuleius.

CHAP. XXXVI. Here Appius laid aside his assumed character, and began from henceforth to live agreeably to his real temper, and to model his new colleagues, even before they should enter upon their magistracy, to his own manners. They daily held secret meetings, and having by this means completed tyrannical schemes, which they hatched remote from the knowledge of other people, they no longer concealed their haughtiness ; few were admitted to their presence, insolent and reserved to those who were ; and thus the time was spun out till the Ides of May, which was then the time of entering upon office. Therefore, in the very beginning of their magistracy, they signalized the first day of their office by spreading a general and great terror among the people. For whereas the former decemvirs had observed this rule, that one only should have the fasces at a time, and that this ensign of royalty should pass in rotation through them all to each in his turn, they, on the contrary, all suddenly appeared with twelve fasces apiece. The forum was filled with one hundred and twenty lictors, carrying axes tied up in their fasces. Nor did they think it concerned them to  
keep

keep back the axes, since they had been created without appeal. They had the appearance of ten kings; and not only struck an additional terror into people of lowest rank, but even into the principal members of the senate, who imagined they sought for grounds and pretexts to begin a massacre: that if any one, either in the senate or assemblies of the people, should mutter a word, tending to recall the remembrance of liberty, they might be immediately scourged or beheaded, to strike terror into others. For besides that no relief could be had from the people, now the right of appeal to them was taken away, they had by agreement taken away all hopes of having the injuries of one redressed by another; whereas the former decemvirs had suffered their verdicts to be amended by an appeal to some of their colleagues, nay transferred causes to the judgment of the people, which seemed properly to be under their own cognisance. For some time they struck terror equally into all ranks, but by degrees began to turn it all against the populace. They did not meddle with the patricians; but formed tyrannical and cruel designs against those of lower rank, regarding the person, not the cause, like those who are swayed by favour, and not by equity. They concerted their judgments at home, and only pronounced them in the forum. If any appealed from one decemvir's judgment to his colleague, he to whom he had appealed for redress, gave him reason to repent that he had not abode by the verdict of the former. There was also a report spread, though the author could not be discovered, that they had not only conspired this tyranny for the present time, but had secretly entered into an association under oath, not to assemble the comitia for a new election of magistrates, but, since they had once got possession

CHAP. XXXVII. Then the people fixed their eyes upon the patricians, to see if they could discover any hopes of liberty in the countenances of those from whom they had dreaded slavery, and by these suspicions sunk the republic into its present deplorable condition. The principal senators hated both decemvirs and people, and though they were far from approving of what was done, yet thought the people richly deserved this fate. And seeing by greedily grasping at liberty they had plunged themselves into servitude, they had no inclination to succour them ; nay they heaped injuries upon them, that, being quite weary of the present tyrants, they might at last come to wish for the re-establishment of two consuls, and the ancient form of government. The greater part of the year was now past, and two tables of laws\* were

\* T A B L E XI.

OF THE WORSHIP OF THE GODS, AND OF RELIGION.

I. LAW. Let all persons come with purity and piety to the assemblies of religion, and banish all extravagance from thence. If any one does otherwise, may the gods themselves revenge it.

II. LAW. Let no person have particular gods of his own; or worship any new or foreign ones in private, unless they are authorised by public authority.

III. LAW. Let every one enjoy the temples consecrated by his forefathers, the sacred groves in his fields, and the oratories of his lares. And let every one observe the rites used in his own family, and by his ancestors, in the worship of his domestic gods.

IV. LAW. Honour the gods of heaven, not only those who have always been esteemed such, but those likewise whose merit has raised them thither; as Hercules, Bacchus, Æsculapius, Castor, Pollux, and Romulus.

V. LAW. Let those commendable qualities by which heroes obtained heaven, be ranked among the gods; as understanding, virtue, piety, fidelity; and let temples be erected to them. But let no worship ever be paid to any vice.

VI. LAW.

were added to the ten made in the preceding year; nor was there any thing wanting, once these laws were ratified in the assembly of the centuries, to make that magistracy any longer necessary to the state.

**VI. LAW.** Let the most authorised ceremonies be observed.

**VII. LAW.** Let law-suits be suspended on festivals; and let the slaves have leave to celebrate them after they have done their work. That it may be known on what days they fall, let them be set down in the calendars.

**VIII. LAW.** Let the priests offer up in sacrifice to the gods, on certain days, the fruits of the earth, and berries; and on other days abundance of milk, and young victims. For fear this ceremony should be omitted, the priests shall end their year with it. Let them likewise take care to chuse for every god, the victim he likes. Let there be priests appointed for some gods, flamines for others, and pontifices to preside over them all.

**IX. LAW.** Let no woman be present at the sacrifices which are offered up in the night, except at those which are made for the people, with the usual ceremonies. Nor let any one be initiated in any mysteries brought from Greece, but those of Ceres.

**X. LAW.** If any one steals what belongs, or is devoted to the gods; let him be punished as a parricide.

**XI. LAW.** Leave perjury to be punished with death by the gods, and let it be punished with perpetual disgrace by men.

**XII. LAW.** Let the pontifices punish incest with death.

**XIII. LAW.** Let every one strictly perform his vows: but let no wicked person dare to make any offerings to the gods.

**XIV. LAW.** Let no man dedicate his field to the service of the altar; and let him be discreet in his offerings of gold, silver, or ivory. Let no man dedicate a litigated estate to the gods: if he does, he shall pay double the value of it to him whose right it shall appear to be.

**XV. LAW.** Let every man constantly observe his family-festivals.

**XVI. LAW.** Let him who has been guilty of any of those faults, which make men execrable, and are not to be atoned for by expiations, be deemed impious. But let the priests expiate such as are to be expiated.

### T A B L E XII.

#### OF MARRIAGES, AND THE RIGHT OF HUSBANDS.

**I. LAW.** When a woman shall have cohabited with a man for a whole year, without having been three nights absent from him, let her be deemed his wife.

**II. LAW.** If a man catches his wife in adultery, or finds her drunk, he may, with the consent of her relations, punish her even with death.

**III. LAW.**

state. Every body looked, how soon the assembly was to be proclaimed for electing consuls. What solely ingrossed the attention of the commons, was, by what means the tribunician power, that bulwark of their liberty, might be recovered, which had been interrupted. But in the mean time no mention was made of assembling the comitia, and the decemvirs, who, at first, had paid their court to the people surrounded by the tribunes, because that was reckoned a popular thing, had now got a band of young patricians about them. A company of these constantly guarded their tribunals, harassing the people, and plundering their effects; whatever appeared covetable, was soon in possession of the more powerful; they did not even spare their persons, but whipt some and beheaded others. And that this cruelty might not go unrewarded, a compliment of the effects immediately followed the punishment of their owner. The young nobility, debauched by this sort of hire, did not only connive at the oppression of the people; but openly wished rather to live in this licentious manner, than in a state of public liberty.

CHAP. XXXVIII. The Ides of May came, and no new magistrates being chosen, those who were in reality but private persons appeared as decemvirs, without any intention to abate the least of their authority, or even drop the ensigns or marks of power. This seemed manifestly an usurpation of regal tyranny. Every body deplored

III. LAW. When a man will put away his wife, the form of doing it shall be by taking from her the keys of the house, and giving her what she brought. This shall be the manner of a divorce.

IV. LAW. A child born of a widow, in the tenth month after the decease of her husband, shall be deemed legitimate.

V. LAW. It shall not be lawful for the patricians to intermarry with the plebeians.

the

the loss of liberty for ever; none for the present asserted its cause, nor hope of any. Not only had they lost all courage, but they began even to be despised by the neighbouring nations, who disdained to be subject to a state, which had lost its own liberty. The Sabines made an incursion upon the Roman territories with a great army, and having laid them waste far and near, carried off a great booty both of men and cattle with impunity; and returning with their army, which had been dispersed over the whole country, incamped at Eretum, in confidence that the divisions at Rome would obstruct the levying of forces there. Not only the messengers, which brought these accounts, but the peasants, who fled from the neighbourhood, filled the city with terror. The decemvirs deliberated upon proper measures to be taken; and while they were between the hatred of the patricians and plebeians destitute of all relief, fortune superadded another cause of fear beside the former. For the *Æqui*, on the other side, formed a camp at Algidum. Ambassadors from Tusculum brought word to Rome, that they from thence made incursions upon and pillaged the dominions of that state, and implored aid against them. This struck such fear into the decemvirs, that, seeing the city threatened with war from two different quarters at the same time, they had recourse to the senate. They commanded the senators to be cited to assemble in the senate-house, not ignorant of the storm of ill-will which hung over their heads.

“ The whole blame of the country’s being laid “ waste, and the other dangers that threatened “ them, would be thrown on them. An at-  
“ tempt would then be made to put an end  
“ to their magistracy, if they did not by a  
“ firm union among themselves oppose it, and,  
“ by a severe exercise of their authority upon a  
“ few of the most resolute, crush the enterprises  
“ of

" of the rest." The herald was no sooner heard in the forum, summoning the Fathers to meet the decemvirs in the senate-house, but the novelty of the thing, so long had they discontinued the custom of consulting the senate, astonished the people. " What can have happened," cried they in surprise, " to occasion their revival of an obsolete custom after so long disuse ! We may thank our enemies and the present war, that any spark of the ancient freedom of our state appears." They looked round the whole forum for a senator, but scarce saw one there. From it they went to the senate-house, and found it quite empty round the decemvirs, who attributed the Fathers not assembling to a wilful contempt of their authority, while the people imagined they had refused, because private persons had no right to convene the senate. " This beginning, thought they, promised fair for the recovery of their liberty, if they would only keep pace with the senators, and refuse to enrol themselves, as the Fathers had not assembled when summoned." These things were whispered by the plebeians. There was scarcely a senator in the forum, and but few in the city. For, through abhorrence of the present tyranny, they had retired to the country ; and laying aside all concern for the public, minded their own private affairs ; thinking the greater distance they were at from the assemblies and meetings of those outrageous tyrants, the farther they were removed from harm. When they did not appear on the summons, officers were sent about to their houses to distrain their goods, and to inquire whether they had absented themselves with design. These officers reported, that the senators were in the country ; which gave greater joy to the decemvirs, than if they had said, they were in town, but disowned their authority. Commanding

anding them, therefore, to be sent for, they adourned the meeting to next day, which was then more numerous than had been expected. From his the people imagined that the senators had betrayed their liberty; because they had obeyed those, who ought before that time to have abdicated their magistracy, and who, were it not for their violent measures, would be but private persons, as if they had had a legal authority to compel them.

C<sup>H</sup>AP. XXXIX. But we are informed, that they were more obedient in coming to the senate-house, than submissive in giving their opinion there. For it is said, that L. Valerius Potitus, after Appius had opened the cause of their meeting, and before their opinions were asked in order, begging liberty to be heard on the state of the republic; and the decemvirs imperiously commanding him silence, and he swearing he would go out to the people, raised a great heat. Horatius Barbatus seconded him with no less warmth, “ calling the decemvirs ten Tarquins; and putting them in mind that the kings had been expelled by the Valerii and Horatii. It was not the title of king that they were at that time weary of. For it was lawful to use that title, which was given to Jupiter; which Romulus, the founder of their city, had enjoyed, and those kings who succeeded him, and was still retained in the rites of religion and yearly festivals: it was the pride and violence of a king that was so hateful; and if these were intolerable in a real king or in the son of a king, were they to be endured in so many private persons? He bade them take care, lest, by denying men liberty of speech within the senate-house, they should oblige them to speak their minds without doors; neither did he see, that he himself, a

" private man, had less authority to call an  
 " assembly of the people, than they had to con-  
 " vene the senate. They might try, when they  
 " would, how much more keen the resentment of  
 " the people in asserting their liberty would be,  
 " than their strong ambition to maintain them-  
 " selves in their illegal authority. They had  
 " mentioned the Sabine war, as if the Roman  
 " people had any more declared enemy than the  
 " decemvirs themselves, who having been created  
 " to establish laws, had not left a spark of equity  
 " in the state: they who had suppressed the comi-  
 " tia, abolished the annual magistracies, and ta-  
 " ken away the custom of governing by turns,  
 " the only method consistent with liberty; who,  
 " being only private persons, had the fasces and  
 " absolute domination. That, upon the expulsion  
 " of the kings, the magistrates were all patricians,  
 " but afterwards, on the secession of the people,  
 " were plebeians likewise." He asked, " which  
 " of these interests they were in? In the interest  
 " of the people? for what have they ever done  
 " with their consent? Or in that of the nobility?  
 " who have not almost for a whole year convened  
 " the senate, and now they had assembled it, de-  
 " barred them the liberty of speaking to the state  
 " of the republic. They ought not to trust too  
 " much to the want of resolution in others; for  
 " the people were now convinced, that their pre-  
 " sent oppression was more intolerable, than any  
 " thing they had to fear for the future."

CHAP. XL. Horatius having spoke this with great warmth, while the decemvirs could neither find a vent to their resentment, nor put up with what was said, and could form no judgment how this affair would terminate; C. Claudius, uncle to Apppius the decemvir, made a speech rather full

full of intreaties than reproaches, conjuring his nephew by the manes of his brother and father, “ to have more regard to that whole community, “ in which he was born, than to that unlawful combination which he had entered into with his colleagues. He made this request more for his own, than the sake of the republic; for if they would not willingly restore it its rights, it would wrest them back from them against their will. But as great struggles most commonly raise a great deal of ill-will, he shuddered to think on the event of them.” Though the decemvirs had forbid speaking on any other than the subject of their meeting, yet they were ashamed to interrupt Claudio. He therefore proceeded to give his opinion, “ that the senate should pass no decree.” This all men understood to be a declaration of the decemvirs being private persons; and to this many who had been consuls assented in their speeches. The other opinion was in appearance more harsh, but affected the decemvirs less, “ that the patricians ought to meet and chuse an interrex.” For, by this vote, those were acknowledged as magistrates who held the senate; but those who declared for passing no decree, made them private persons. The interest of the decemvirs thus sinking, L. Cornelius Maluginensis, brother to M. Cornelius the decemvir, having been designedly reserved to speak last of all the men of consular dignity, screened his brother and his colleagues, by pretending a great concern for the war. “ He wondered,” he said, “ by what fatality those who had either been candidates for the decemvirate, or partners in it, should above all others be so keen in their opposition to the decemvirs? and how it had happened, that, during so many months that the state had enjoyed quiet, none had ever disputed the justice

“ of their title, who have held the supreme  
“ magistracy; but at length, when the enemy  
“ is near our gates, sow civil discord; unless it  
“ be, that they think their designs could not be  
“ so clearly discerned, in these troublesome times?  
“ But it was meet, that none, while they were  
“ distracted with greater concerns, should bring  
“ in any thing new to divert them from an affair  
“ of such consequence. As to the charge which  
“ Valerius and Horatius had brought against the  
“ decemvirs, that their authority had expired at  
“ the Ides of May; he was of opinion, that the  
“ senate ought to take that affair under considera-  
“ tion, as soon as the wars, which were then im-  
“ pending, should be ended, and tranquillity re-  
“ stored to the state: and Appius should from  
“ that time prepare himself for his defence,  
“ knowing he must render an account of those  
“ comitia, which in his first decemvirate he had  
“ held for the election of new decemvirs, that the  
“ senate might judge whether they had been ap-  
“ pointed only to continue for one year, or till  
“ such laws as were wanting should be completed.  
“ But at present he was for postponing the con-  
“ sideration of every other thing except the war.  
“ If they thought the alarm of it false, and that  
“ not only the messengers, but the Tusculan de-  
“puties had brought them groundless accounts,  
“ they ought to send out scouts, to inquire and  
“ bring them more certain intelligence. But if  
“ they gave credit to what the messengers and de-  
“puties had reported, they ought with the great-  
“ est expedition to levy troops, and the decemvirs  
“ to lead them to what place they thought proper.  
“ This ought to be done previously to every thing  
“ else.”

CHAP. XLI. With great struggling the young patricians

patricians carried it in favour of this opinion. Upon which Valerius and Horatius rising a second time with greater keenness than at first, demanded aloud “ liberty to speak to the state of the “ republic ; declaring that if by the power of faction their mouths should be stopped in the senate, they would go out and speak to the people. It was not in the power of private persons to hinder their speaking either in the senate or in an assembly of the people : nor would they yield “ to their sham fasces and usurped authority.” Upon that Appius, seeing matters reduced to such extremity, that if he did not oppose their violence with equal boldness, the decemviral authority would be lost, said, “ At your peril say any thing, but what relates to the affair about which we ask your advice ;” and upon Valerius’s refusing to be silent at the command of a private person, ordered a lictor to lay hold on him. While Valerius, from the porch of the senate-house, called out to the Romans for help, L. Cornelius took Appius in his arms, and put an end to the dispute, though it was not out of regard to him, for whose sake he pretended he had done it. Valerius, by Cornelius’s interposing, obtained liberty to say what he would ; but as this liberty extended only to words, the decemvirs gained their point. The men of consular dignity and aged senators likewise, from a remaining grudge to tribunician power, which they thought the people were much fonder of than of consular, chose rather that the decemvirs themselves should afterwards voluntarily abdicate their magistracy, than that the people, through their aversion to decemvirs, should get head again. For should the government peaceably, and without any popular commotion, return into the hands of consuls, it was possible, that either by the intervention of wars, or a mild exercise

ercise of the consular government, the people might be brought to forget their tribunes. Thus an edict was issued for raising an army without any obstruction on the part of the senators; and the youth, as there was no appeal from the decemviral authority, answered to their names when called. When the legions were completed, the decemvirs agreed among themselves, who should go out to the war, and who should command the armies. The two leading men among the decemvirs were Q. Fabius, and Appius Claudius. There appearing more danger from the commotions at home than the war abroad, they thought Appius, by reason of his imperious temper, fittest to quell the disturbances in the city. Fabius was not so steady in a good, as active in a bad cause. For his colleagues in the decemvirate had so changed this man, who had formerly behaved very well both in peace and war, that he chose rather to resemble Appius than act like himself. He was commissioned to march against the Sabines, and had M. Rabuleius, and Q. Poetilius given him as colleagues. M. Cornelius was sent to Algidum, with L. Minucius, T. Antonius, Kasso Duilius, and M. Sergius. They appointed Sp. Oppius to assist Appius in defending the city, and invested them equally with the whole decemviral authority.

CHAP. XLII. The war was as ill managed abroad, as the state was at home. The only thing wherein the generals were to blame, was in having rendered themselves odious to the citizens: otherwise the soldiers were wholly in fault; for, that nothing might succeed under the command and conduct of the decemvirs, they suffered themselves to be beat, to their own and their commanders disgrace. Their armies were routed by  
the

the Sabines at Eretum, and by the Aequi at Algidum. That at Eretum fled thence in the dead of the night, and entrenched themselves nearer the city on a rising ground between Fidenæ and Crustumeria. The enemy followed them thither, but the Romans would never venture a battle on fair ground; and defended themselves by the strong situation of the place and their ramparts, not by valour and arms. Those at Algidum behaved still worse, and received a more terrible overthrow: for having lost their camp, and being stript of all their warlike implements, they retired to Tusculum, trusting, for subsistence and protection, to the fidelity and compassion of their allies, who did not disappoint their hopes. Such terrifying accounts were brought to Rome, that the senators, laying aside their hatred to the decemvirs, passed a vote, “that guards should patrol in the city; and that “all who were of an age fit to bear arms should “be posted to guard the walls and gates.” They likewise deereed “a reinforcement of men and “supply of arms for the troops at Tusculum, and “that the decemvirs should draw their forces out “of the citadel of that place, and incamp them “in the open field; and march the troops that lay “at Fidenæ into the Sabine territories, that, by “carrying the war into the enemy’s country, they “might be diverted from their design of attacking Rome.”

CHAP. XLIII. To what the people had thus suffered from the enemy, the decemvirs superadded two most enormous actions, the one in the camp, and the other in the city. In that army which opposed the Sabines, L. Siccius, from the ill-will he bore to the decemvirs, having, in secret whispers, mentioned to the common soldiers the creation of tribunes and making a secession, was sent before

before by the generals to look out a proper place to incamp in. The soldiers, whom they sent to accompany him in this expedition, were ordered to fall upon and kill him in a convenient place. He did not fall unrevenged; for being a stout man he made a brave resistance, and though surrounded by the assassins, defended himself with a courage equal to his strength, so that several of the villains were found dead about him. Those who survived reported in the camp, that Siccius had fallen unawares into an ambuscade, wherein he and some of his company had been killed. They were at first believed: but afterwards when a cohort, with the decemvirs permission, was detached to bury the slain, and found none of the bodies stript, but saw Siccius lying in the middle in his armour, all the dead lying with their faces towards him, none of the enemy among them, nor any trace of their going off, they brought back his corpse, and affirmed, that he had certainly been killed by his own men. The whole camp was filled with rage, and agreed, that Siccius should be immediately carried to Rome, had not the decemvirs hastened to bury him with military honours, at the public charge. The soldiers expressed great grief at his funeral, and openly threw out the bitterest reproaches against the decemvirs.

CHAP. XLIV. I shall now relate the other act of villainy, perpetrated in the city, occasioned by lust, and as foul in the event, as the rape and murder of Lucretia, which drove the Tarquins from the city and kingdom; that the end of the decemvirs might not only exactly resemble that of the kings, but that they might lose their authority by a like cause. Appius Claudius was seized with a violent passion for a plebeian virgin. Her father, L. Virginius, held an honourable rank in the army

ny at Algidum, and bore a fair character both as a citizen of probity, and a valiant soldier. His wife had been a woman of strict virtue, and their children were virtuously educated. He had betrothed this daughter to L. Icilius, who had formerly been tribune, a man of spirit, and one who had given proofs of his courage in asserting the rights of the people. Appius becoming passionately enamoured of this virgin, who was in the bloom of life, and very beautiful, attempted to debauch her by presents and fair promises. But perceiving that her modesty was too strong a bulwark against these arts, he resolved to have recourse to cruel and insulgent force. Thinking the absence of her father a fit opportunity for executing this wicked project, he made M. Claudius, a client of his own, claim the maiden as his slave, with strict orders not to yield her to those who should demand that she might remain under surety, in possession of her freedom, till the cause was decided. This minister of the decemvir's lust seized her as she was coming into the forum, where the schools were kept in a sort of booths; and calling her slave, affirmed she was the daughter of one of his bondwomen, and commanded her to follow him, threatening, if she refused, to drag her by force. The damsel was terrified and amazed, and on the outcries of her nurse, imploring help of the Romans, a multitude of people flocked round them. The names of her father Virginius, and betrothed husband Icilius, both popular men, were heard on all sides. Regard to them brought their acquaintance to the place; and the shameful ness of the action engaged the mob to espouse the young woman's quarrel. As this protected her from violence, Claudius, who claimed her, called out, "That there was no occasion  
" for raising a mob; for he had no design to employ  
" force, but to proceed against her in a legal man-  
" ner."

“ner.” Upon which he summoned her to appear in court, and those present persuaded her to follow him. They came before Appius’s tribunal, where the plaintiff proceeded to tell the judge a story well known to him, having himself beforehand instructed him in the plan of the prosecution. Claudius said, “That the young woman had been born in his house, stolen from thence, and carried to Virginius’s, where she passed for the latter’s daughter. This he affirmed he would make appear by witness, and prove even before Virginius, as judge, who was the greatest sufferer by the jury. In the mean time it was just, that the maid should follow her master.” The counsel for the young woman pleaded, “That seeing Virginius was abroad in the service of his country, and might, if he had information, be present within two days, it was unjust, in his absence, to raise any dispute about his children;” and demanded, “That Appius might not hear the cause, till the arrival of Virginius. But, according to the law made by himself, he should allow her to continue in possession of her freedom till a definitive sentence, and not suffer a virgin, arrived at maturity, to run the risk of losing her honour, before she lost her liberty.”

CHAP. XLV. Appius, before he passed sentence, said, “The very law, which the friends of Virginia had urged in support of their suit, was a proof of his regard to liberty. But it could only be a protection to liberty, if it was never applied to persons or causes for which it was not originally intended. For as to those who were slaves, and claimed as free, the plea was good, because any man might seek redress by law. But as Virginia was in the hands of her father, there was no other person to whom her master was obliged to quit his possession. Therefore

“ he

“ he decreed that her father should be sent for ;  
“ and that the right of the claimant might not in  
“ the mean time be infringed, he should take the  
“ girl to his house, under promise to present her  
“ in court, when her reputed father should ap-  
“ pear.” As many silently grumbled at this un-  
just sentence, though none had the courage openly to declare against it, Numitorius, her uncle, and Icilius, to whom she had been betrothed, came into court. The crowd made way for them, imagining, especially after the coming of Icilius, they could stop the execution of Appius’s decree ; but a lictor proclaimed, “ That sentence was passed,” and pushed back Icilius, who loudly complained of the injustice done him. As such injurious treatment would have provoked the mildest temper, he said, “ You must remove me, O Appius, by the sword, that you may quietly perpetrate the villainy you strive to conceal. I am to marry this virgin, but to marry her chaste. Therefore call forthwith all your lictors, nay those belonging to your colleagues ; command them to get ready their rods and axes ; for Icilius’s bride shall not stay out of her father’s house. No ! Because you have deprived us of the protection of our tribunes, and the right of appeal to the Roman people, the two bulwarks which defended our liberty ; shall therefore our wives and children fall victims to your lust ? Scourge and behead us, but at least let chastity be protected. If any violence shall be offered to this virgin, I, in behalf of my bride, will implore the help of the Romans assembled here ; Virginius will call for aid from his fellow-soldiers, in behalf of his only daughter ; we will beg aid of every body, and implore both gods and men. You shall never put this sentence in execution till you have first slain me. I earnestly beseech you, Appius,

“ to

“ to consider coolly the consequence of your proceedings. Virginius, when he comes, will see what is properest to be done with regard to his daughter. Let him only be assured of this, if he yield to this villain's claim, he must find her another husband. As for me, who insist that my bride may continue in possession of her liberty, I will sooner lose my life than forego the faith I have pledged her.”

CHAP. XLVI. The multitude were much incensed, and a battle seemed likely to ensue. The lictors surrounded Icilius, but proceeded no farther than to threaten him. Then Appius said, “ That what Icilius did was not for the sake of defending Virginia; but being a turbulent man, and even then breathing the spirit of a tribune, sought an occasion to raise a sedition; but he would disappoint him for that day; and he might be assured, that not on account of his sauciness, but of Virginius's absence; and from a tender regard to the name of father, and to liberty, he would defer judgment, and not interpose his decree that day. He would beg M. Claudius not to insist upon his right, but let the young woman continue in possession of her liberty till next day. But if the father should not then appear, he now gave warning to Icilius, and men of like complexion, that a decemvir would not be wanting in resolution, and a lawgiver would put his laws in execution: he would not call together his colleague's lictors to awe the authors of sedition, but would be content with his own.” The time for perpetrating this villany being thus delayed, and the young woman's advocates retired, the first resolution they took, was, that Icilius's brother and Numitorius's son, two active young men, should go that instant to the gates, and make

make all possible haste to bring Virginius from the camp ; for the young woman's safety depended upon his being present exactly at the appointed time, to defend her against her ravisher. They went as ordered, and having posted all the way, brought her father the sad news. In the mean time he who claimed the young woman, pressed Icilius to give security that he would present her in court. Icilius answered, that he was about it, designedly spinning out the time, till the messengers sent to the camp should be well advanced on their journey ; and the whole crowd held up their hands, to shew that every one there was ready to become surety for Icilius. He with tears thanked them, saying, " To-morrow I shall use your help ; but for the present I have sureties enough." Thus Virginia, upon her relations giving surety to present her, was set at liberty. Appius, to avoid suspicion that he sat in judgment solely on account of that particular cause, staid some time in his tribunal ; but seeing, through concern for one girl, none applied to him, he returned to his house, and wrote to his colleagues in the camp, " not to give Virginius a furlough ; nay, to put him under arrest." This wicked advice, as it deserved, came too late. For Virginius, having obtained a furlough, had set out by the first watch in the night, whereas the letters for detaining him were not delivered till next day in the morning.

CHAP. XLVII. He was in Rome by day-break, where the whole people were convened in the forum, eagerly expecting his coming. Virginius, clad in mourning, led his daughter in a threadbare gown into the forum, attended by several matrons, and a great company of friends. He went round and solicited every man's favour ; and not only implored their assistance, but even demanded it.

it as a debt. He said, “ He was daily ready in the  
 “ field to fight for their children and wives ; nor  
 “ was there any man of whom could be recounted  
 “ a greater number of brave and gallant exploits  
 “ in war than of himself. But what did it signi-  
 “ fy, if, while the city was preserved, their chil-  
 “ dren must suffer the same violences which are to  
 “ be dreaded when a town is taken by assault ?”

He went round the assembly, haranguing them in this manner. Icilius every where made use of the like arguments. But the silent tears of the women who accompanied them, had more influence than any words that were uttered. In spite of all which, Appius with an inflexible heart (his soul being distracted rather with an extravagant madness, than an amorous passion) ascended his tribunal. And while the plaintiff complained, “ That sentence  
 “ had not passed in his favour the day before,  
 “ out of complaisance to the people,” before he could proceed to make his demand, or Virginius have an opportunity to answer, Appius interrupted him. As to the preamble with which he ushered in his decree, perhaps ancient authors have given the true one ; but because I cannot find one that is probable, considering the shameful nature of the sentence, I think it best to set down only what is certain, the bare decree itself, “ He adjudged her  
 “ to be a slave.” This injurious sentence at first surprised and confounded all the bystanders. For some time all were silent. But when M. Claudius went to lay hold on the virgin, who was surrounded by the matrons, and they received him with doleful wailings, Virginius, shaking his hands in a threatening manner at Appius, said, “ Decemvir,  
 “ it was to Icilius, and not to thee I betrothed my  
 “ daughter ; and educated her for lawful wedlock,  
 “ not for prostitution. Do you delight, like the  
 “ brutes and wild beasts, thus to gratify your bru-  
“ tal

“ tal passion in common? Whether those who are  
 “ here present will endure these things, I know  
 “ not; but I hope those who are in arms will not  
 “ bear with them.” When the claimant was re-  
 pulsed by the circle of women and friends who  
 surrounded her, an herald proclaimed silence.

**C H A P. XLVIII.** The decemvir, with his mind wholly bent upon gratifying his lust, said, “ That he not only guesst from the invectives which Ici- lius had thrown out against him the day before, and the insolence of Virginius, whereof the Roman people had been witnesses, but had got certain information, that cabals had been formed in the city all night long in order to raise a sedition. That therefore, well apprised of the intended riot, he had brought soldiers along with him: not that he would hurt any quiet person, but that, by virtue of his office, he might awe those who disturbed the tranquillity of the state. Therefore they had better make no farther disturbance. Go, lictor,” says he, “ put aside the croud, and make way for the master to lay hold of his slave.” Having all in a rage made this magisterial speech, the croud of their own accord withdrew, and left the virgin standing alone a prey to her ravisher. Upon this Virginius, seeing no body gave any assistance, said, “ I beseech you, in the first place, Appius, to impute it to a father’s grief, if I have unguardedly thrown out any bitter invectives against you: in the next place, to give me leave to interrogate the nurse in presence of the virgin, concerning this matter; that if I am falsely called her father, I may go hence better satisfied in my mind.” Leave being granted him, he led his daughter and her nurse aside to the booths near the temple of Cloacina, which are now called the new booths;

and there snatching a knife from a butcher, said, “ O daughter, by this only method in my power, I set thee free.” With that he stabbed her through the heart ; and turning to the tribunal, called out, “ By this blood, Appius, I devote thee and thy head to the infernal gods.” The decemvir, alarmed by the clamour raised on this horrible deed, commanded Virginius to be seized : but he, where-ever he came, opened himself a way with the knife ; till, guarded by the crowd which followed, he reached the gates. Icilius and Numiterius took up the dead body, and exposed it to the view of the people, cursing the wickedness of Appius, and lamenting the fatal beauty of the young woman, and the cruel necessity her father was under of killing her. The matrons, following after, cried out, “ Was it for this that children were begot ? was this the reward of chastity ?” And as the tenderness of womens hearts makes them more sensibly affected with grief, they said every thing which the excess of passion suggests to their minds on such doleful occasions. The men, but especially Icilius, exclaimed against the abolishing of the tribunician-power, taking away the appeal to the people, and the villanies publicly committed.

CHAP. XLIX. The people rose in an uproar, partly on account of this horrid crime, and partly in hopes that it would furnish them with an opportunity of regaining their liberty. Sometimes Appius commanded Icilius to be cited, sometimes to be carried to prison for refusing to obey the summons. At last, seeing there was no way for the apparitors to come at him, he himself, with a band of young patricians, went through the crowd, and commanded him to be carried to jail. By this time Icilius was surrounded not only by the people,

ple, but by their leaders, L. Valerius and M. Horatius; who thrusting away the lictor, said, " If he had a legal action against Icilius, they would become surety to defend him against the decemvir, who was but a private person; but if he dared to use force, he should likewise find them superior to him in that." Upon this a terrible tumult began. The decemvir's lictor fell upon Valerius and Horatius, and the mob broke his fasces. Then Appius went up to the rostra to harangue the people; Valerius and Horatius followed. The assembly heard their speech with attention, but drowned the decemvir's with their noise. Valerius took upon him to command the lictors to leave Appius, who was only a private person. In the mean time Appius, losing all courage, and apprehensive for his own life, covering his head, stole, without the knowledge of his enemies, out of the forum, and hid himself in an adjoining house. Sp. Oppius, from the opposite side, rushed into the forum, to succour his colleague, and saw his authority borne down by force. After much deliberation, and many on all hands advising him to comply, he, in great consternation, at last commanded the senate to be assembled. This appeased the multitude, seeing, as many of the patricians seemed displeased with the proceedings of the decemvirs, there was hope that the senate would put an end to their authority. The senators were of opinion, that the people ought not to be exasperated; and that care should be taken, that Virginius's arrival in the camp did not raise commotions there.

CHAP. L. Some young patricians were, therefore, sent to the camp, which was then upon the hill Vecilius, to desire the decemvirs, " by all means to prevent the soldiers mutinying." But

Virginius raised a greater commotion there, than he had left in the city. For besides that his being attended with a troop of four hundred men, who, enraged at the shocking deed, had accompanied him on his journey, made him remarkable; his carrying the naked knife in his hand, and being himself all bespattered with blood, drew the eyes of the whole camp upon him. The gowns, which were seen in many different places of the camp, made the number of citizens appear greater than really it was. When they asked him what the matter was, he remained long in tears without uttering a word: at length, when the hurry and confusion occasioned by those who crowded about him, was abated, and followed by a general silence, he recounted in order every thing that had happened. Then lifting his hands to heaven, he besought his fellow-soldiers, "not to impute to him, what was solely Appius's crime, nor to look upon him as a parricide and the murderer of his child. The life of his daughter had been dearer to him than his own, if she could have enjoyed it free and chaste; but when he saw her ready to be dragged, as a slave, to be debauched, he thought it better that his child should be deprived of life, than of her honour. Tenderness for her made him seem cruel. Nor would he have survived his daughter, had not he entertained hopes, that his fellow-soldiers would assist him in revenging her death. They also had daughters, sisters, and wives; nor had Appius's brutal lust expired with his daughter, but the longer he escaped punishment, he would be the more unbridled in his debaucherries. His misfortune ought to be a warning to, and keep them on their guard, lest the like injury should be done to themselves. As to his own concern in the matter, he had lost his wife by

“ a natural death, and his daughter, because she could no longer live chaste, had made a lamentable but honourable exit. There now remained nobody in his family on whom Appius could satiate his lust : from his other violences he would free his own body, with the same courage as he had delivered his daughter's. The rest might look to themselves and to their children.” Having pronounced this speech audibly, the army with one voice assured him, that they would both avenge the cause of his grief, and defend their own liberty. The citizens likewise, mixing in the crowd of soldiers, made the same complaints, representing how much more shocking these things must be when seen acted, than they could possibly appear in the relation. At the same time they told them, that the interest of the decemvirs was already utterly ruined at Rome, and those who had come since their arrival brought accounts, that Appius, after having been almost killed, had fled into banishment. These things moved the soldiers so much, that the general cry was, “ To arms, pluck up the standards, and march to Rome.” The decemvirs, much perplexed at what they had seen, and what they heard had been transacted at Rome, ran through all the camp, to appease the mutiny : while they used gentle means, no one regarded them ; but when any of them offered to exercise their authority, he was told, “ That they were men, and soldiers in arms.” Thus they marched in battalia to Rome, and incamped on Mount Aventine, exhorting every one of the people they met, to attempt the recovery of their liberty, and to elect tribunes of the people. Not a violent word else was heard. Sp. Oppius assembled the senate ; and they determined to act with moderation, seeing they themselves had given occasion to the sedition. Three deputies of consular

fular rank, Sp. Tarpeius, C. Julius, and P. Sulpicius, were sent to demand in name of the senate,  
 " By whose command they had left their camp?  
 " or what they intended by incamping in an ho-  
 " stile manner upon Mount Aventine, and by turn-  
 " ing their arms from their enemies, employ them  
 " against their native country?" The answer was  
 -easy; but they wanted a person to give it; for  
 they had no certain leader, and no private man  
 dared to take that hateful office on himself. The  
 whole croud therefore immediately cried out with  
 one voice. " Let L. Valerius and M. Horatius  
 be sent to us: we will give our answer to  
 them."

CHAP. LI. When the deputies were dismissed, Virginius represented to the soldiers, " the con-  
 " fusion they had been in, in an affair of the  
 " greatest consequence, for want of a head.  
 " Though their answer was to the purpose, yet  
 " it was by chance, and not the result of public  
 " deliberation. It would therefore be proper to  
 " create ten men, distinguished with the martial  
 " title of military tribunes, whom they should  
 " invest with the chief command." When this  
 honourable office was first offered to himself,  
 " Reserve," says he, " these your kind inten-  
 " tions to me, for times more favourable to us  
 " both. My daughter's death yet unrevenged will  
 " not suffer me to enjoy any honour with plea-  
 " sure; and while the republic's affairs are so  
 " embarrassed, it is improper that you should be  
 " commanded by one most obnoxious to envy.  
 " My being a private person will not preclude me  
 " from doing you all the service in my power." Thus they chose ten military tribunes. Nor was the army in the country of the Sabines quiet; it, likewise, at the instigation of Icilius and Numitorius,

torius, deserted the decemvirs. For the murder of Siccius coming fresh into their remembrance, provoked them no less than the new account of the base attempt to ravish Virginia. As soon as Icilius heard, that military tribunes were created on the Aventine hill, fearing least the comitia in the city would follow the precedent of the comitia in the camp, and elect the same men tribunes; besides being a man well skilled in popular affairs, and aspiring to that power himself, took care that the army he was in, before they marched to the city, should create an equal number of military tribunes with the same authority. They entered Rome, with colours flying, by the gate Collina, and marched through the middle of the city to the Aventine hill. There they joined the other army; and the twenty military tribunes were impowered to chuse two of their number, who should have the supreme authority. They chose M. Oppius and Sex. Manilius. The senators, anxious for the public welfare, met every day; yet spent their time more in wrangling, than in forming any advantageous resolution. The decemvirs were upbraided with the murder of Siccius, the dissolute life of Appius, and the ignominy they had suffered in the war. At last they resolved, to send Valerius and Horatius to Mount Aventine. But these two patricians refused to go, till the decemvirs should divest themselves of the ensigns of their magistracy, which had actually expired a year before. The decemvirs complaining of being reduced by force to the condition of private persons, declared they would not abdicate their authority, till the laws for enacting of which they had been created, had passed in a general assembly.

CHAP. LII. The army, informed by M. Dulius, who had formerly been tribune, that ~~no pro-~~ <sup>grefs</sup>

gress was made in the busines by reason of these daily disputes, marched from the Aventine over to the Sacred mountain ; the same Duilius affirming, that “ the patricians would never give themselves “ any concern about what passed, till they saw “ the city deserted by the people. The Sacred “ mountain would put them in mind of the con- “ stancy of the people. They would then be “ made sensible of the impossibility of bringing about “ a reconciliation, till the tribunician power was “ restored to them.” Marching, therefore, by the Nomantine way, then called Ficulnenis, they incamped on the Sacred mountain, imitating the moderation of their forefathers by offering no sort of violence. The people accompanied the army, none staying behind, whose age would permit them to go. Their wives and children followed, asking in a mournful tone, “ For what purpose “ should they be left behind in a city, where nei- “ ther honour nor liberty could be safe ? ” Rome was thus in a manner become a vast desert ; and there was nobody to be seen in the forum, excepting a few old men. When the Fathers, convened in senate, saw the forum empty, others besides Valerius and Horatius warmly remonstrated to this effect, “ What wait you for, Conscription Fathers ? “ If the decemvirs persist in their obstinacy, will “ you suffer every thing to go to wreck and ruin ? “ What is that sovereignty, decemvirs, which “ you so tenaciously maintain ? Are you to admi- “ nister justice to empty houses and bare walls ? “ Are you not ashamed, that the number of your “ lictors in the forum are equal to that of citizens “ or others ? What would you do, if our enemies “ should come and attack the city ? What ? if our “ own people at this instant, when we little regard “ their secession, should advance against us sword in “ hand ? Is it your intention to end your magi- “ stracy

“ stracy with the total destruction of the city ?  
“ The truth is, we must either have no people, or  
“ we must have tribunes of the people. We will  
“ sooner want our patrician magistrates, than  
“ they their plebeian. When this power was  
“ new, and before they had experienced the be-  
“ nefit of it, they extorted it from our Fathers,  
“ and will not now part with it, when they have  
“ tasted its sweets ; especially seeing we are not so  
“ moderate in the exercise of our power, but that  
“ they stand in need of relief.” These reasons  
being strongly urged on all sides, the decemvirs,  
yielding to the general opinion, declared, “ they  
“ would, since it was the pleasure of that vene-  
“ rable body, entirely submit themselves to the  
“ senators ;” but begged and admonished them,  
“ to protect them from public resentment, and  
“ not to give the commons a precedent of punish-  
“ ing patricians, by suffering them to shed their  
“ blood.”

CHAP. LIII. Upon this Valerius and Horatius were sent to make up matters, and bring back the people on what terms they thought best ; and were likewise commanded to take all proper measures for protecting the decemvirs against the resentment and fury of the populace. They went and were received into the camp with great demonstrations of joy by the people ; being undoubtedly their deliverers both in the beginning and progress of the commotion. For all which they had thanks returned them on their arrival. Icilius was spokesman for the people. When they came to treat about the terms, and the deputies inquired what the people’s demands were, the same Icilius, every thing having been concerted and settled in council before their coming, made such demands, as plainly shewed, the people trusted more to the reasonableness

ableness of their terms, than to force of arms.  
 For they only demanded " the re-establish-  
 " ment of the tribunician power, and of the right  
 " of appeal, which, before the creation of decem-  
 " virs, had been the protection of the people;  
 " and that every man should be indemnified, for  
 " having stirred up the soldiers or people to make  
 " a secession, in order to recover their liberty."  
 Only their demand of punishing the decemvirs fa-  
 voured much of cruelty; for they insisted, " that  
 " they should be delivered up to them," and they  
 threatened, " to burn them alive." To these the  
 deputies replied " The demands you have made,  
 " after mature deliberation, are so reasonable,  
 " that we would of our own accord have offered  
 " them. For they tend only to the defence of  
 " your liberty, not to authorise licentiousness to  
 " the injury of others. As to your resentment  
 " against the decemvirs, we must rather pardon  
 " than indulge it. For, from a detestation of  
 " cruelty, you rush headlong into it; and almost  
 " before you are free yourselves, would tyrannize  
 " over your adversaries. Shall our state never be  
 " at rest from punishments, which either the pa-  
 tricians inflict upon the Roman people, or they  
 " upon the patricians? You need a shield more  
 " than a sword! He is brought low enough, who  
 " lives on a level with others, in the same state,  
 " without having it in his power to injure others,  
 " or being exposed to injuries himself. If at any  
 " time you mean to make yourselves dreaded, it  
 " must be after you have recovered your magi-  
 strates and your laws, when the power will be  
 " in your own hands, and our lives and fortunes  
 " at your disposal. Then will be the proper time  
 " for you to determine every one's fate. For the  
 " present be satisfied with the recovery of your  
 " liberty."

CHAP. LIV. The whole people having given the deputies power to act as they pleased, they declared they would speedily return with the terms fully ratified. When on their arrival they laid the demands of the people before the senators, the other decemvirs, finding, contrary to expectation, no mention made of punishing them, agreed to every thing: only Appius, a man of a cruel disposition, and the most odious among them, measuring the hatred of others to him, by his own to them, said, "I am not ignorant what fate awaits me. I see the contest about us is only postponed, till arms are put in the hands of our adversaries. Our blood must be the victim to their hatred. However, for my own part, I shall not hesitate, but will instantly abdicate the decemvirate." Upon this the senate passed a decree, "that the decemvirs should immediately resign their office; that Q. Furius, the pontifex maximus, should create tribunes of the people; and that all should be indemnified for the secession of the soldiers and people." These decrees being finished, and the senate broke up, the decemvirs went up to the rostra, and, to the great joy of all men, divested themselves of their office. Information of what had passed was sent to the people; and all who had continued in the city, followed the deputies. Another crowd of overjoyed persons from the camp met this by the way, congratulating each other on the re-establishment of liberty and harmony in the state. Then the deputies, in public assembly, "begged them to return to their native country, to their houses, to hold gods, to their wives and children; which they prayed might prove beneficial, fortunate, and auspicious to themselves and to the republic. But take care," said they, "to carry back with you to the city, that same moderation, which,

" which, in your march hither, restrained you from  
" spoiling any one's lands, even when your num-  
" bers had reduced you to the want of all kinds  
" of necessaries. Go to Mount Aventine, from  
" whence you came; in that auspicious place, where  
" first you laid the foundations of your liberty, you  
" shall create your tribunes. The pontifex maxi-  
" mus will attend you there to hold the comitia."

All signified their approbation with great unanimity and alacrity. They moved their ensigns, and marched for Rome, rivalling those they met in their shouts of joy; and went peaceably through the city to the Aventine hill in arms, where the pontifex maximus holding the comitia, they chose for tribunes of the people, first of all A. Virginius, then L. Icilius, and P. Numitorius, Virginia's uncle, the chief promoters of the secession: next, it is said, were chosen C. Sicinius, son of him who had been created first tribune of the people in the Sacred mount; and M. Duilius, who had signalized himself in the tribuneship before the creation of decemvirs, and had greatly assisted the people in their contests with them; last of all M. Titinius, M. Pomponius, C. Apronius, P. Villius, and C. Oppius, were elected, more in expectation of future than for past services. In the beginning of this tribunate, Icilius brought in a bill to the people, which they passed into a law, " that none should be molested on account of the secession made from the decemvirs." Immediately M. Duilius made a motion for creating consuls with a right of appeal from their decisions. All these things were transacted in an assembly of the people in the Flaminian meadows, now called the Flaminian circus.

CHAP. LV. Then were L. Valerius and M. Horatius created consuls by the interrex, and immediately

mediately entered upon their office. This popular consulate of these magistrates did no injury, yet gave great offence to the patricians; for whatever precautions were taken to secure the people's liberty, the senators deemed an abridgment of their own. First of all, it being a question in law, whether the patricians were bound by the acts of the commons, they passed a law in the comitia by centuries, "That whatever should be enacted by the suffrages of the people assembled in tribes, should be binding on all the members of the state." This gave the tribunes a great advantage in bringing in their bills. Further, they not only revived the other consular law concerning the right of appeal, the chief fence of liberty, which had been overthrown by the decemviral authority; but likewise strengthened it for the time to come by adding a new law, "that no man should create any magistrate from whom there could be no appeal. It should be lawful and justifiable to kill whoever did so; and the killing him should not be deemed a capital crime." And when they had sufficiently secured the people by the right of appeal on the one hand, and the protection of the tribunes on the other, that the persons of the tribunes might be revered as sacred and inviolable, they with that view revived some ancient religious usages, which had been almost forgot. And as their persons were inviolable by the ties of religion, they also made an express law for the purpose, "that whoever should injure the tribunes of the people, ædiles, judges, or decemvirs, his head should be devoted to Jupiter, and his family sold at the temple of Ceres, Liber, and Libera." The lawyers deny, that this law makes any person sacred; but only that he who does them manifest injury, is devoted to destruction: therefore an ædile may be arrested and

F f 2      imprisoned.

imprisoned by superior magistrates; which though not expressly warranted by law (for it is injuring one who by this law is not to be injured), yet is an argument, that an ædile is not to be reckoned an inviolable person. They likewise say, the tribunes were declared sacred persons by an ancient oath of the people, at the first institution of their power. Some have asserted, that the consuls, and likewise the prætors, because they are chosen under the same auspices with the consuls, have the benefit of this Horatian law; for they call a consul a judge. But the custom at that time of calling not the consuls, but the prætors, judges, refutes this interpretation. These were the laws made by the then consuls. They likewise ordained, that the decrees of the senate, which before were suppressed, or altered, at the pleasure of the consuls, should be brought into the temple of Ceres to the ædiles \* of the people. After that the tribune

\* The commons had no sooner prevailed with the senate to confirm the office of tribunes, but they obtained farther the privilege to chuse yearly, out of their own body, two more officers, to assist those magistrates in the discharge of some particular services, the chief of which was the care of public edifices, whence they borrowed their name. Rosinus, for distinction's sake, calls them *ædiles plebis*. Besides the duty mentioned above, they had several other employments of lesser note; as to attend on the tribunes of the people, and to judge some inferior causes by their deputation; to rectify the weights and measures, prohibit unlawful games, and the like.

A. U. C. 389, two more ædiles were elected out of the nobility, to inspect the public games. They were called *ædiles curules*, because they had the honour of using the *fella curulis*; the name of which is generally derived *a curru*, because they sat upon it as they rode in their chariots; but Lipsius fancies it owes its name, as well as its invention, to the Curetes, a people of the Sabines.

The curule ædiles, besides their proper office, were to take care of the building and reparation of temples, theatres, baths, and other noble structures; and were appointed judges, in all cases relating to the selling or exchanging of estates.

Julius Cæsar, A. U. C. 710, added two more ædiles out of the

bune Duilius brought in a bill to the people, which they passed into a law, "that whoever  
 " should deprive them of their tribunes, or cre-  
 " ate a magistrate without appeal, should be  
 " scourged and beheaded." All these acts passed  
 though against the will, yet without any opposi-  
 tion from the patricians, because none amongst  
 them was hitherto personally injured.

**C H A P. LVI.** The tribunician power and li-  
 berties of the people being thus established upon a  
 firm basis, the tribunes thought it both safe and  
 a proper time to attack the decemvirs one by one,  
 and pitched on Virginius to be the first plaintiff,  
 and Appius to be the first defendant. When Vir-  
 ginius had appointed Appius a day to take his trial,  
 and the latter came down into the forum sur-  
 rounded by a band of young patricians, the sight  
 of him and his attendants immediately revived the  
 remembrance of his detestable tyranny. Then  
 Virginius spoke thus: "Long harangues were  
 " invented for intricate cases; I will, therefore,  
 " neither take up your time in impeaching, be-  
 " fore you, him from whose cruelty you have de-  
 " livered yourselves by arms; nor will I suffer him  
 " to add to his other crimes, an impudent defence  
 " of himself. Therefore, Appius, I pass over all  
 " the wicked and impious actions which you have  
 " dared to commit, one on the back of another,  
 " for the space of two years, and confine my ac-  
 " cusation only to one point; that you contrary  
 " to law did not allow a free person, who was  
 " claimed as a slave, to remain in possession of

the nobility, with the title of *ædiles cereales*, from Ceres; because  
 their business was to inspect the public stores of corn and other  
 provisions, to supervise all the commodities exposed in the market,  
 and to punish delinquents in all matters concerning buying and  
 selling.

“ her liberty till a definitive sentence, and for this  
“ I command you to be led to prison.” Though  
Appius had no hopes of protection from the tri-  
bunes, or of favour from the people in the trial;  
yet he appealed to the tribunes for their interces-  
sion in his behalf: and when none interposed, as  
the officer was dragging him away, he cried out,  
“ I appeal to the people.” Those sacred words,  
the fence of liberty, heard from his mouth, who  
had lately pronounced sentence in direct opposi-  
tion to that very liberty, occasioned a profound  
silence. Every one muttered to himself, “ that  
“ there were gods, and gods who did not neg-  
“ lect human affairs; pride and cruelty, though  
“ late, were yet severely punished; he who had  
“ abolished the right of appeal to the people, had  
“ yet appealed; he, who had trampled on all the  
“ rights of the people, implored their help; he,  
“ who had sentenced a free person to slavery, was  
“ dragged to prison, without the benefit of that  
“ he had denied to others.” Amidst the murmurs  
of the assembly, the voice of Appius was heard,  
imploring the protection of the Roman people.  
He enumerated the services his ancestors had done  
both in peace and war; “ his own unhappy zeal  
“ for the interest of the Roman people when he  
“ abdicated the consulship, to the great offence  
“ of the patricians, for the sake of procuring  
“ laws equally for the benefit of all ranks: like-  
“ wise the laws of his own instituting, which  
“ were still in force, though the legislator was  
“ leading to prison. As to his good and bad ac-  
“ tions, he was willing to stand trial when he  
“ should have leave to make a legal defence. At  
“ present, as a Roman citizen he demanded, by the  
“ common right of citizenship, to be allowed to  
“ make his defence, and to have the judgment of  
“ the Roman people. For he was not so much afraid  
“ of

“ of their malice, as to have no hopes in the equity and mercy of his fellow-citizens. If he was led to jail without being allowed to make his defence, he would again appeal to the tribunes, and mind them to beware of treading in the footsteps of those they hated. If the tribunes confessed themselves to have entered into the same combination for abolishing the right of appeal, against which they had accused the decemvirs of having conspired; he would appeal to the people, and implore the benefit of the laws of appeal, the consular and tribunician laws, which had been made that year. For who needed appeal, if he, who had not been condemned nor pleaded in his own defence, had no benefit by it? What plebeian, what man of low rank, will find protection in the laws, if Appius Claudius finds none? In his case would be proved, whether tyranny or liberty was established by the new laws; and whether the right of appeal and intercession against the oppressions of magistrates, was only an empty scrawl, or really granted.”

CHAP. LVII. Virginius replied, that Appius was the only person who could enjoy no benefit from the laws, or from any civil and human compact. “ Cast your eyes back to his tribunal, the fortress of all crimes; where this perpetual decemvir, preying upon the goods, persons, and lives of citizens, threatened all with scourging and death; where this contemner of gods and men, surrounded by bloody executioners, rather than lictors, turned his mind from rapine and murder to lust, and, before the eyes of the Roman people, gave in a present to his client, the minister of his lust, a free-born virgin, after tearing her from the close embraces of her father,

" ther, as if she had been a captive in war; where,  
" by his cruel decree, and wicked sentence, he  
" armed the unhappy father's right hand against  
" the daughter; where he commanded her bride-  
" groom and uncle, who took up the body of  
" the expiring virgin, to be led to prison; and was  
" enraged rather at being disappointed of gratify-  
" ing his lust, than moved with concern for the  
" murder: that he had built a prison, which he  
" used to call, *a habitation for the Roman people*.  
" He might again and again appeal, but he would  
" as often bring him before a judge, to be tried,  
" whether he had not unjustly condemned a free-  
" born person to slavery; if he did not plead, he  
" would command him to be put in prison as a  
" condemned criminal." Nobody disapproving of  
what Virginius said, Appius was thrown into  
jail, while most were vexed to the heart, and even  
the people themselves thought their liberty too ex-  
cessive in punishing so great a man. The tribune  
adjourned the day of trial. In the mean time de-  
puties arrived from the Latins and Hernici, to  
congratulate Rome, on the reconciliation between  
the patricians and plebeians, and on that account  
brought into the Capitol a present to Jupiter the  
good and great, of a crown of gold. It was not  
of great weight, as these states were not very rich;  
and the ceremonies of religion were more regarded  
for their piety than their magnificence. They  
likewise informed the Romans, that the Æqui and  
Volsci were making mighty preparations for war.  
Whereupon the consuls were commanded to share  
the provinces between them. Horatius's lot was  
to march against the Sabines, and Valerius's a-  
gainst the Æqui and Volsci. When they issued  
their edict for levying armies for these wars, from  
the love the people bore these favourite consuls,  
not only the young men, but those who had ser-  
ved

ved the legal time, were ready to give in their names, and the most of them as volunteers ; by which means the army was not only increased in numbers, but strengthened in quality by the mixture of these veterans among the raw soldiers. Before they left the city, they hung up in the forum the decemviral laws, which go by the name of the twelve tables, engraved in brass. Some historians say, that the ædiles, by the command of the tribunes, performed that office.

CHAP. LVIII. C. Claudius, who, not able to bear the wickedness of the decemvirs, but above all abhorring the pride of his nephew, had withdrawn to Regillum, his ancient native country, being now an old man, returned to solicit his deliverance from danger, whose vices he had fled from ; and, in a sordid dress, went about, attended by his kinsmen and clients, soliciting the favour of every one he met. He conjured them, “ Not to stamp so indelible a mark of infamy upon the Claudian family, as to cause them to be considered as meriting bonds and imprisonment. Not to suffer a man whose image would make an honourable figure in after ages, the maker of laws, and establisher of the Roman rights, to lie in irons among housebreakers and thieves. That they would a while suspend their resentment, and seriously inquire into and ponder the case : and rather, at the earnest intreaties of so many Claudi, pardon one of that family, than despise the supplications of so many through their hatred to one. It was on the score of kindred and name ; not that he was reconciled to the person, whose misfortunes he desired to relieve, that he made this application to them. By their courage they had recovered liberty, but it was clemency alone which could re-establish concord.

“ concord between the several orders of the state.” Some were moved rather by his affection to his kinsman, than out of regard to him for whom he pleaded. But Virginius on the other hand besought them, “ rather to have compassion for him and his daughter. Not to hearken more to the solicitations of the Claudian family, which had tyrannized over them, than to the prayers of Virginia’s friends, and of three tribunes, who implored help and assistance from those very people, for whose defence they had been created.” The tears of the last seemed most reasonable. So that Appius, having lost all hopes of favour, killed himself before the day of trial. Then was Sp. Oppius, the most odious decemvir next to Appius, prosecuted by P. Numitorius, because he had been in the city when his colleague passed the unjust sentence of slavery against Virginia. But an injury he himself had done, drew more hatred upon him, than his not obstructing Appius’s infamous decree. A witness was produced, who had served twenty-seven years in the army, and had been eight times honoured with extraordinary military rewards. Carrying these gifts in his hand, he rent his robe in sight of the people, and shewed his back torn with rods; offering, “ if Oppius could lay any real crime to his charge, to give him leave, now he was a private person, to exercise his cruelty on him a second time.” Oppius was likewise led to prison, and before the day of his trial put an end to his life with his own hand. The tribunes confiscated Appius and Oppius’s effects, and applied them to the service of the public. Their colleagues only escaped by going into banishment, and their effects were likewise confiscated, and put to the same use. M. Claudius, who had claimed Virginia as his slave, was condemned to death on the day appointed for his trial. But

Virginius

Virginius remitted the severest part of the punishment ; and being set at liberty, he went in banishment to Tibur. And thus at length the ghost of Virginia, happier in death, than fortunate in life, having wandered over so many houses seeking revenge, when none of the guilty persons remained, was appeased.

CHAP. LIX. The senators seeing the tribunes as absolute as ever the decemvirs had been, were under terrible apprehensions, when M. Duilius, tribune of the people, seasonably restrained this excessive power within due bonds. He said, “ We have already sufficiently established our liberty, and avenged ourselves on our enemies. Therefore, during the remainder of this year, I will neither suffer any man to be prosecuted or imprisoned. For I order, that old crimes, already forgot, be not revived, seeing the new are expiated by the punishment of the decemvirs ; and the constant care of both your consuls, in protecting your liberty, is a sufficient security that nothing will hereafter be allowed, that can require the assistance of the tribunes.” This moderation of the tribune in the first place dispelled the fears of the senators, but on the other hand increased their dislike of the consuls, because they had been so wholly devoted to the people, that a plebeian magistrate had shewn more regard for the safety and liberty of the senators than a patrician : and it appeared that their enemies had been glutted with revenge, before the consuls shewed any intention of restraining their licentiousness. Many senators blamed themselves for too easily complying in ratifying those laws which had been proposed by the consuls ; nor was there any doubt but it was the distracted state of the republic which had obliged them to temporize.

CHAP. LX. The consuls, having settled matters in the city, and firmly established the condition of the people, went each into his own province. Valerius by policy maintained the war against the armies of the *Æqui* and the *Volsci*, which had now joined at Algidum. Had he immediately risked a battle, I don't know (considering how the courage of the Romans and their enemies stood affected by reason of the decemvirs ill conduct) whether he would not have fought at a great disadvantage. He kept his soldiers close within their lines, which he had formed about a mile from the enemy, who ranged themselves in order of battle in the vacant space between the two camps. The Romans returned no answer to their bravadoes. At length the *Æqui* and *Volsci*, wearied with standing, and in vain expecting battle, and thinking the victory fairly yielded to them, went part into the country of the *Hernici*, and part into the Latin territories, to ravage them, leaving behind rather a sufficient guard to defend their camp, than a force able to cope with their enemy in a set battle. When the consul perceived this, he in his turn put them in fear, and drawing out his men in battalia, bid them a defiance. But conscious of the inequality of their troops, they avoided coming to a battle; which immediately animated the Romans extremely, and made them deem their enemies, who were in great consternation within their camp, as a sure prey. The Romans stood all day under arms, but retired, at night, full of hope, and refreshed themselves. But the enemy were far from being in equal spirits, and sent out expresses every where to recall their troops, which were marauding. Those in the adjacent parts were returned, but those at great distance were not found. At break of day the Roman army marched out of their camp, in order to attack the

the enemy's intrenchments, in case they should not come out to fight. But when the greatest part of the day was spent without any motion on the part of the enemy, the consul gave the signal for the attack. Upon this motion of his troops, the *Æqui* and *Volsci* were enraged, to think that their victorious army should be defended rather by a rampart than by valour. With great importunity therefore they obtained the signal of battle from their generals. When part of them were already marched out at their camp-gates, and others followed in great order, each man in his rank, the Roman consul advanced against them, before they could be supported by the whole of their troops. Charging them before they were all come out, or those who were could be regularly formed, but like a mob wavering to and fro, and looking about on themselves and their fellow-soldiers, he, to add to their fear, began the attack with a great shout. At first they gave ground; but recovering their spirits, and their generals every where upbraiding them with yielding to those they had before conquered, they rallied and renewed the fight.

CHAP. LXI. On the other hand, the consul bid his men remember, " That this was the day " they had first occasion to fight as freemen, and " for a free state: they were to get victory for " themselves, and not to fall a prey to decemvirs " after they had conquered. They fought not " now under the conduct of Appius, but of the " consul Valerius, who was descended of deliver- " ers of the Roman people, and was himself their " deliverer. They ought to shew, that it was " owing to the generals, not to the soldiers, that " they had not conquered before. It were shame- " ful for them to have shewn more courage against " their fellow-citizens, than now against enemies;

“ and to have been more apprehensive of slavery at home, than from foreigners. As for Virginia, she was but one, whose chastity had been in danger in time of peace, and that the lust of Appius alone was dangerous to her; but if the fortune of war should be against them, all their children would be in danger from so many thousand enemies. He would not forebode what he hoped Jupiter and their father Mars would not suffer to befall a city founded on so lucky auspices. He put them in mind of the Aventine and Sacred hills ; that as there they had a few months before gained their liberty, thither they ought to carry back their power unsullied. They ought to give proof, that the Roman soldiers were as brave after the expulsion of the deceivers, as they had been before they were created ; and that the Roman valour was not diminished by laws which established equality in the state.” Having thus harangued the foot in midst of their ensigns, he flies to the horse : “ Come on, my lads, outdo the foot by your prowess, as you exceed them in honour and rank. The foot at the first onset made the enemy give ground, and now they are pushed, do you give the reins to your horses, and drive them out of the field. They will not be able to stand your charge ; they now rather never than fight.” Upon this they put spurs to their horses, and drove against the enemy, already disordered by the charge of the foot ; and having broke through their ranks, penetrated to the farthermost line. Some of them taking a compass in the open space, blocked up the way to the enemy’s camp, who were flying on all sides, and outriding them, frightened them from coming that way. The battalions of foot, with the consul himself, and the whole heat of the battle, turned upon the camp, which was taken with great slaughter,

ter, but greater booty. The news of this battle was carried not only to the city, but to the other camp in Sabinia. It was solemnized with great rejoicings only in the city, but in the camp it animated the soldiers with an ambition of rivalling so glorious an action. Now Horatius, by exercising his men in making excursions, and trying their courage in slight skirmishes, had accustomed them rather to confide in their own bravery, than remember the affront they had received under the conduct of the decemvirs; and these little encounters had made them confident of victory, whenever they should come to a decisive action. Nor did the Sabines, flushed with their success the preceding year, cease to provoke and urge the Romans, asking them with scorn, "Why they wasted their time in frequently sallying in small parties like robbers, and as often returning; and thus, by many light skirmishes, spun out a war which might be determined at one blow? Why would they not come to a general battle, and at once try which side fortune would favour?"

CHAP. LXII. Besides that the Romans had of themselves sufficiently recovered their courage, they were likewise fired with indignation. The other army, already victorious, was on the point of returning to the city, whilst the enemy was insulting them by their reproaches. Besides, when would they be a match for their enemies, if they were not then? When the consul perceived these murmurings of his soldiers in the camp, he assembled them, and addressed them thus: "I suppose, soldiers, you have heard of the battle at Algidum; the army there behaved, as that of a free people ought; and the victory was obtained by the wise conduct of my colleague, and the valour of the troops. As for my part, I will fol-

" low such advice, and take such resolutions as  
" you shall suggest to me. The war may both be  
" spun out with advantage, and speedily put an  
" end to. If it must be protracted, I will observe  
" the same method I laid down at first, for daily  
" increasing your hopes and valour. If you have  
" already courage enough, and are resolved to  
" fight, set up such a shout, as you would do if  
" you were going on to an attack, as a mark of  
" your inclination and bravery." When, with  
great chearfulness, the soldiers set up a terrible  
shout, he assured them, " That he would comply  
" with their inclination, and lead them to battle  
" next day, which he prayed might prove auspi-  
" cious." The rest of the day was spent in prepa-  
ring their arms. Next morning, as soon as the  
Sabines, who were as desirous of coming to an  
engagement, perceived the Romans drawn up in  
order of battle, they marched out likewise. The  
fight was such as might be expected from two ar-  
mies confident of victory; the one animated with  
the remembrance of their ancient and perpetual  
glory, and the other flushed with the victory  
they had lately gained. The Sabines helped their  
force by a stratagem; for when they drew up  
in battle-array, they kept a reserve of two thou-  
sand men without their ranks, which were to fall  
on the left wing of the enemy in the heat of the  
action. This corps-de-reserve, making a furious  
attack in flank, almost surrounded the left wing.  
But two squadrons of Roman cavalry, almost to  
the number of six hundred men, dismounted, flew  
to the front of those who were giving ground, and  
made head against the enemy: at first they shared  
the danger equally with the infantry, and after-  
wards animated them to fight through a sense of  
shame. They blushed to see the horse do both  
their own and others duty in the battle, and them-  
selves

selves be outdone by the cavalry, even when they had dismounted and fought on foot.

CHAP. LXIII. Upon that they rallied, returned to the post they had abandoned, and in an instant the battle was not only renewed, but the opposite wing of the Sabines gave way. The horse, covered by the foot, remounted, and galloping at full stretch to the other wing of the army, informed them of the victory. At the same time they charged the enemy, who were in great consternation at the rout of the main strength of their army. None signalized their bravery more in the action. The consul was very active, and carefully looked to every thing; he commended the brave, and reprimanded those who fought but faintly. Immediately those whom he chid exerted themselves like brave men. For a sense of shame had the same influence on them, that commendations had on others. A fresh shout was raised, and attacking on all sides in close battalia, they put the enemy to flight, who were no longer able to stand the violent shock of the Romans. The Sabines being routed, and dispersed through the fields, left their camp a prey to the enemy. There the Romans found not only the spoils which had been taken from their allies, as in the camp at Algidum, but also recovered the booty which had been carried away in ravaging their own lands. For these two victories, gained in two different battles, the senate out of jealousy decreed only a supplication and thanksgiving for one day in name of the consuls. But the people, by their own authority, went in crowds to offer their supplications the next day, and even this unauthorised and popular one was celebrated with the greatest solemnity. The consuls by concert came to Rome, one on the first, the other on the second of

these two days, and assembled the senate in the campus Martius; where, after a recital of their exploits, the principal senators complained, that their meeting was held in the camp, with a design to intimidate them. From thence the consuls, to avoid reflections, adjourned it to the Flaminian meadows, where now stands a temple of Apollo, but which were then called Circus Apollinaris. Here the senators almost unanimously refused them a triumph: upon which L. Icilius, the tribune, brought it before the people. Many senators went out to oppose it, but C. Claudius in particular exclaimed against it in these words. “The consuls intended to triumph over the senators, not over enemies, and fought an acknowledgment for some private service done to the tribune, not an honourable reward of their valour. A triumph had never before been submitted to the judgment of the people. The merit and decreeing of it had always been the prerogative of the senate. Their very kings had never abridged the privileges of that high order. Let not then the tribunes ingross all power to themselves, so far as to exclude a council of state. For the state could be no longer free, nor laws equal, than each rank of persons therein confined themselves to their own rights, and maintained their own authority.” Several other of the old patricians spoke many things to the same purpose; but the tribes unanimously agreed to the motion. This was the first triumph by authority of the people, without a decree of the senate.

CHAP. LXIV. The gaining of this grand point by the tribunes and people, had almost occasioned a licentiousness attended with dangerous consequences. For the tribunes formed a design of having themselves rechosen for the next year; and the

the better to conceal their ambitious views, proposed to continue the same consuls in office. To support this scheme, they urged the thorough agreement of the senators, by which, in despite to the consuls, the rights of the people would be destroyed. "For what would be the consequence, " if the consuls, while the laws were not yet firmly established, should, by their factions, make attempts on the new tribunes ? Such public-spirited men as the Valerii and Horatii, who preferred the liberty of the people to their own interest, would not always be consuls." It happened very luckily at that juncture, that the lot fell on M. Duilius, a prudent man, to preside at the comitia. He, foreseeing the great offence that would attend continuing the same magistrates in office, declared, that he would have no regard to the vote of any person in favour of the old tribunes. His colleagues opposed this, saying, the people ought either to be left at liberty in giving their votes, or he give up his place to some of his colleagues, who would preside at the comitia in a manner agreeable to law, rather than the pleasure of the senators. Duilius sent for the consuls to their tribunal, and asked them, what they intended to do in the comitia for election of consuls. They answered, that they would create new ones. Finding these men, who had always favoured popular schemes, no abettors of this, he went out with them into the assembly, and producing them before the people, put this question to them, whether, in case the Roman people, out of gratitude for recovering liberty to them at home, and for their services in war and other worthy acts, should re-elect them consuls, they would accept of the office ? They answered as before. Duilius, praising the consuls for their steadiness, in not imitating the decemvirs, held the comitia ; and after five

five tribunes were chosen, plainly perceiving, that the canvassing of the nine old ones hindered the other candidates from having a majority in the tribes, he dismissed the assembly ; nor did he again assemble the comitia. He said the law was fulfilled, for it nowhere determined the precise number, provided room was left for chusing more ; and gave authority to those already elected to chuse themselves colleagues. Then he read a copy of the act, which ran thus. “ If, when a bill is brought in for the election of ten tribunes, less than that number shall be chosen on the day of election ; then those who are elected shall chuse themselves colleagues, and those whom they shall so chuse, shall be deemed legal tribunes of the people as well as those who were appointed on the day of election.” Thus Duilius continuing steady to the last, and insisting that the republic could not have fifteen tribunes, disappointed the ambitious views of his colleagues, and laid down his office, equally dear to both patricians and people.

CHAP. LXV. The new tribunes had great regard to the recommendations of the senators in the choice of their colleagues ; and even pitched on two patricians of consular dignity, Sp. Tarpeius and A. Aterius. Lar. Herminius and T. Virginius Cœlimontanus were chosen consuls. As they were not much biased in favour of either patricians or plebeians, there was great tranquillity, both at home and abroad during their administration. L. Trebonius, tribune of the people, exasperated against the senators, because he said he had been trapanned by them in the choice of tribunes, and betrayed by his colleagues, proposed the following law, “ That whenever tribunes of the people are to be chosen, let him who presides

" sides continue the comitia, till ten are chosen;" and passed his whole tribunate in harassing the patricians, whence he got the surname of Asper \*. After that M. Geganius Macerinus, and C. Julius were made consuls. They quelled the cabals of the tribunes formed against the young patricians, without inveighing against their power, or condescending to any thing below the dignity of the patricians. They restrained the people from seditions, by decreeing levies for the support of the war with the *Æqui* and *Volsci*. They assured them, that living in peace at home would secure quiet abroad, and that intestine broils gave spirits to foreign nations. Thus their care to secure peace abroad contributed much to maintain domestic tranquillity. But the one order always took advantage of the moderation of the other. The people were very quiet when the young patricians began to harass them. When the tribunes attempted to succour the weakest, they had little success at first. But at last they themselves did not escape without injury, especially in the last months of their office; the nobility exercising their oppressions by their cabals, and the power of all magistracies being but faintly executed towards the end of the year. And now all the people's hopes centered in chusing tribunes like Icilius ; for during the two last years they had had only nominal ones. On the other hand, the old patricians, as they were sensible that their youth were too licentious, so they were better pleased, since some party must exceed due bounds, to see this extravagance in their own order, than in that of their enemies. So difficult a thing is it to hold an even balance in defence of liberty ; for every one, under pretence of maintaining an equilibrium, so

\* Mutinous.

raise

raise their own side, as to depress the other; and by endeavouring not to have any thing to fear from others, insensibly make themselves formidable. And thus we impose injuries on others, which we remove from ourselves, as if there was an absolute necessity of either committing or suffering wrong on one side or other.

CHAP. LXVI. T. Quinctius Capitolinus a fourth time, and Agrippa Furius were then made consuls; who, on their entering into office, found the state neither engaged in domestic broils nor foreign wars. But both were near at hand. For the dissensions of the citizens could be no longer restrained, and both people and tribunes were so exasperated against the patricians, that several of the latter had days appointed to take their trial, and the assemblies for that purpose always afforded fresh matter of contest. Upon the first rumour of which the *Æqui* and *Volsci*, as if they had received a signal, took up arms. Their chiefs, from a desire of plunder, egged them on, assuring them, that, since the people had thrown off all authority, the Romans had not been able to complete the levies which had been ordered two years before.  
 " This was the reason why an army had not been  
 " sent against them. The vigour of their discipline was enervated by licentiousness, and they  
 " reckoned Rome no longer their common and  
 " native country. They now turned upon themselves all their resentment and revenge against  
 " foreign nations. Now was the time to destroy  
 " these wolves\* blinded with their domestic broils." They first laid waste the Latin territories, with

\* The Romans were often called *wolves* by their enemies, either in allusion to Romulus's being suckled by a wolf, or to the warlike genius of that nation, who, in imitation of that rapacious animal, as it were preyed on the nations round it.

their

their confederate troops ; and meeting no resistance there, to the great joy of those who advised the war, advanced in triumph to the very walls of Rome, plundering the country about the Esquiline gate. They shewed, in an insulting manner, Rome the spoil of her lands, drove off their booty with impunity, and then retired in a body to Corbio : upon which Quintius called an assembly of the people.

CHAP. LXVII. In this assembly, as I am informed, he made the following speech. " Romans, though I am conscious to myself of no crime, yet I appear in this assembly overwhelmed with shame. That you should know, and it should be told to posterity, that, in the fourth consulship of T. Quintius, the Aequi and Volsci, who were lately scarce a match for the Hernici, advanced in arms to the very walls of Rome, and retired unpunished. If I could have foreseen this disgrace (though we have long lived in such a manner, and the present situation of affairs is such, that my mind could preface no good from it); if, I say, I could have foreseen that this event was especially reserved for this year ; I would have avoided the office either by banishment or death, if I could not have escaped it in a more honourable way. Is it then possible that Rome would have been taken in my consulate, if those arms which were in our gates, had been in the hands of men ? I have reaped honours sufficient ; I have lived but too long ; I ought to have died in my third consulship ! Whom then do these dastardly enemies despise ? Us consuls ? or you, the Roman people ? If the fault is ours, depose us, who are unworthy to govern ; and if that is not sufficient, punish us over and above. If it is yours, let neither

“ neither gods nor men, O Romans, punish your  
“ sins, only at length repent. But the truth is,  
“ they neither despised your cowardice, nor re-  
“ lied on their own valour; for after being  
“ so often routed and put to flight, driven out  
“ of their camps, amerced in their lands, and  
“ made to pass under the yoke, they know both  
“ you and themselves too well. Discord among  
“ the orders of the state, the bane of this city;  
“ the contests between the patricians and ple-  
“ beians; while we set no bounds to our desire  
“ of rule, and you carry your love of liberty to  
“ excess; while you are weary of patrician and  
“ we of plebeian magistrates, the enemy takes  
“ courage. For the sake of the immortal gods,  
“ what do you aim at? You desired tribunes of  
“ the people; we granted them for the sake of  
“ peace. You wanted decemvirs; we suffered  
“ them to be created. You grew weary of de-  
“ cemvirs; and we obliged them to lay down their  
“ office. Nay, because you continued your re-  
“ sentment against them when become private  
“ persons, we suffered the most noble and ho-  
“ norable men of the state to be put to death and  
“ banished. You desired to have the tribuneship  
“ revived; you had it. We have allowed you  
“ to create consuls in your own interest, although  
“ we saw the injustice which was thereby done to  
“ the patricians. We likewise see the people pre-  
“ sented with the patrician magistracies. You  
“ have enjoyed the protection of the tribunate,  
“ the right of appeal to the people, and at plea-  
“ sure imposed laws of your own making on the  
“ patricians. Under pretext of getting equal  
“ laws, we have suffered and still suffer the aboli-  
“ tion of all our prerogatives. Shall there ever  
“ be an end of contentions? Shall ever the or-  
“ ders in this city be united, shall ever this be-  
“ come

“ come a common country to us all ? We who are  
“ the losers, behave with more temper, than you  
“ who have got the victory. Is it not enough that  
“ you are formidable to us ? Against us you in-  
“ camped on Mount Aventine ; against us you  
“ seized Mount Sacer. None of you repulsed  
“ your enemies the Volsci, when they had al-  
“ most taken the Esquiline gate, and were even  
“ scaling your ramparts. Against us you shew  
“ your bravery, against us you take up arms.”

CHAP. LXVIII. “ Come then, when you  
“ have blockaded this tribunal, made the forum a  
“ scene of war, and filled the prisons with the  
“ chief of the patricians ; do but march out at the  
“ Esquiline gate in the same martial temper : or  
“ if you dare not do that, at least mount your  
“ ramparts, and behold your lands laid waste by  
“ fire and sword ; see the booty carried away ;  
“ look upon your houses lately burnt, and still  
“ smoking. But by these the commonwealth is  
“ reduced still to greater extremity ; the country  
“ is on fire, the city invested, and the enemy tri-  
“ umphant conquerors. And what do you think  
“ will be the condition of your private concerns ?  
“ Each of you will soon receive tidings of his  
“ losses. And what have you to supply them ?  
“ Will your tribunes make up and recompense  
“ them ? They will indeed amuse you with  
“ speeches and harangues, accuse the patricians,  
“ make laws on the back of laws, and call assem-  
“ blies in abundance. But did any one ever re-  
“ turn home from their assemblies, the richer or  
“ better for all they said ? Did any man ever car-  
“ ry back any thing to his wife and children, be-  
“ sides enmity, injuries, and both private and pu-  
“ blic grudges ? from the fatal effects of which  
“ you have been preserved in safety, not by any  
VOL. I. H h “ valour

“ valour or innocence of your own, but by the  
“ help of others. The truth is, while you made  
“ war, under us consuls, not under your tri-  
“ bunes ; in the field, not in the forum ; when  
“ your shouts terrified your enemies in battle,  
“ and not the Roman patricians in your assem-  
“ blies ; you gained booty, you took lands from  
“ the enemy, you acquired riches and glory to  
“ yourselves and the state, and returned trium-  
“ phant to your families and your gods. Now  
“ you suffer your enemy to go away loaded with  
“ your effects. Stand by your assemblies, live in  
“ the forum. That necessity of fighting, which  
“ you shun, still pursues you. Was it a hard  
“ task to march out against the Æqui and Volsci ?  
“ The war is before your gates : if it is not beat  
“ off, it will soon be within our walls ; it will  
“ scale the citadel and Capitol, and pursue you  
“ even into your houses. Two years ago the se-  
“ nate commanded levies to be made, and an ar-  
“ my to be led to Algidum. We have ever since  
“ loitered at home, quarrelling with one another  
“ like women ; content with our present enjoy-  
“ ment of peace, but not reflecting, that that  
“ very peace would, in a short time, bring many  
“ wars upon us. I am sensible, that other to-  
“ pics would be more to your liking. Although  
“ my natural disposition dissuades me, yet neces-  
“ sity obliges me rather to speak cutting truths,  
“ than to flatter you. I would indeed willingly  
“ please you, but much rather chuse to prevent  
“ your ruin, whatever your future sentiments of  
“ me shall be. Human nature is so formed, that  
“ he who flatters the multitude for his own inter-  
“ est, pleases more, than he who has no view,  
“ but public benefit. But perhaps you think, that  
“ these open flatterers, these popular men, who  
“ will neither let you live in peace, nor take up  
“ arms,

“ arms, are spurring and egging you on to your  
 “ good: No! When they have excited you,  
 “ theirs will be the honour and gain: and be-  
 “ cause they see themselves little regarded, when  
 “ unanimity reigns among the orders of the state,  
 “ they had rather raise mischief, broils, and sedi-  
 “ tions, than not be taken notice of. If the-  
 “ fore you can at length disentangle yourselves  
 “ from these chains, if you will reassume the an-  
 “ cient spirit of your fathers, and your own brave  
 “ conduct, instead of this lately adopted, I will  
 “ be bound to suffer any kind of punishment, if I  
 “ do not within a few days rout and put to flight  
 “ these ravagers of our lands, drive them out of  
 “ their camps, and carry all the terror of this war,  
 “ which alarms you so greatly, from our gates  
 “ and walls, to their own cities.”

CHAP. LXIX. The harangue of a popular tribune has seldom at another time been received with greater applause of the people, than the stinging speech of this venerable consul was at this. The youth who were wont on such occasions of fear to refuse to enroll themselves for the war, the severest wound they could give the patricians, now breathed nothing but war and arms. The flight of the plundered and wounded peasants, who gave out, that more cruelty had been exercised than what they now beheld, filled the whole city with rage. When the senate was assembled, the eyes of all were attentively fixed on Quinctius, whom they looked on as the only assertor of the Roman dignity. The chiefs of the senate said, “ His speech was worthy of the honourable post he filled, worthy of the former consulates he had held, worthy of his whole life, which was a series of honourable offices he had often enjoyed, and oftener merited. Other consuls had either

“ flattered the people by betraying the interests of  
 “ the patricians, or, by rigidly maintaining the  
 “ rights of the senate, had rendered the people  
 “ quite ungovernable. But T. Quinctius in his  
 “ speech had regard to the Roman dignity, har-  
 “ mony among all ranks, and had particularly  
 “ adapted it to the times. They besought him  
 “ and his colleague to maintain the interest of the  
 “ republic. Then they addressed the tribunes,  
 “ intreating them cordially to join with the con-  
 “ suls in removing the war from their gates and  
 “ walls, and to engage the people to obey the pa-  
 “ tricians chearfully in this dangerous juncture.  
 “ Their common country addressed itself to the  
 “ tribunes, and implored their aid, now their lands  
 “ were laid waste, and the city almost besieged.”

Levies were unanimously decreed and made. Then the consuls spoke to the assembly as follows.  
 “ There is now no time to inquire into the ex-  
 “ cuses of them who absent themselves ; the youth  
 “ must all be ready by break of day to-morrow in  
 “ the Campus Martius. When the war should  
 “ be ended, they would take time to inquire into  
 “ the excuses of those who had not given in their  
 “ names ; and would treat all as deserters, whose  
 “ excuse should not be sustained.” All the youth  
 rendezvoused there next day, and each cohort  
 chose their own centurions, and two senators  
 were placed at the head of each cohort. We find  
 on record, that all this was completed with such  
 expedition, that the ensigns were ready and brought  
 out of the public arsenal by the quæstors \*, and,  
 by

\* The original of the quæstors (*à querendo*, from getting in the revenues of the state) Dionysius and Livy place about A. U. C. 269. Plutarch indeed, with some small difference, refers their institution to the time of Valerius Publicola, when he allotted the temple of Saturn for the treasury (to which use it always served afterwards),

by the fourth hour of the day, the troops moved out of the field. And this new army, together with a few cohorts of veteran troops who followed as voluntiers, halted ten miles from Rome. The next day it came in sight of the enemy, and encamped close to them at Corbio. Neither side delayed to give battle on the third day, the Romans prompted by resentment, and their enemies by a consciousness of their frequent revolts, and by despair of pardon.

**CHAP. LXX.** When two consuls are in a Roman army, they are vested with equal powers: but at this time Agrippa yielded the supreme com-

terwards), and granted the people liberty of chusing two young men for the treasurers. This was the whole number at the beginning: But afterwards, two others were created, A. U. C. 332, to take care of the payment of the armies abroad, of the selling plunder and booty, &c. For which purpose they generally accompanied the consuls in their expeditions; and upon this account were distinguished from the other quæstors, by the name of *peregrini*, and gave them occasion to assume the title of *urbani*. This number continued till the entire conquest of Italy; and then it was again doubled, A. U. C. 439. The four that were now added, had their residence with the proconsuls and proprietors in the provinces, where they employed themselves in regulating the taxes and customs due from thence to the state. Sylla the dictator, as Tacitus informs us, created twenty quæstors to fill up the senate; and Dion mentions the creating of forty by Julius Cæsar upon the same design.

The chief offices of the quæstors were the receiving, lodging, and carrying out ambassadors; and the keeping the decrees of the senate was appointed them by Augustus, which before had been under the care of the ædiles and tribunes.

From hence came the two offices of *quaestor principis*, or *augusti*, called sometimes *candidatus principis*, described by Brissonius, and resembling the office of secretary of our state; and *quaestor palatii*, instituted by Constantine the Great; answering in most respects to the place of the lord chancellor amongst us. Perhaps we ought not here to make a distinction of offices; the *quaestores candidati* being honoured by Constantine with the new title of *quaestores palatii*, and admitted to greater trust, and more important business.

The quæstorship was the first office any person could bear in the commonwealth, and might be undertaken at the age of twenty-four or twenty-five years.

mand into the hands of his colleague, an action of unspeakable benefit in grand undertakings. Quintius, who had this honour done him, made a courteous return to his colleague's civility, communicating all his designs, sharing the honour with him, and for his condescension putting him on a level with himself. In the battle Quintius led the right wing, Agrippa the left, Sp. Postumius Albus a lieutenant-general commanded in the centre, and Servius Sulpicius, another lieutenant-general, led on the horse. The foot on the right fought with great bravery, and met with a stout resistance from the Volsci. Servius Sulpicius broke through the enemy's main body with his horse; and though he might have returned to his own army, before the enemy, whom he had put in disorder, could have closed their ranks, he thought it better to charge them in the rear. He would have routed his enemies, who in this attack were greatly harassed both in front and rear, in an instant, had not the Volscian and Aequan cavalry suspended for a while his victory, by attacking him in his own way. Then Sulpicius called out to his squadrons, "that they had no time to lose; " "they were upon the point of being surrounded, " "and of having all communication with their " "own army cut off, if they did not by a vigo- " "rous charge put an end to the battle with the " "enemy's cavalry. They ought not to be con- " "tent with putting them to flight, and saving their " "lives, but to cut both man and horse to pieces, " "that not one of them might return to renew " "the battle. They will never be able to stand " "before you, who have already broke the main " "body of their foot." They were not deaf to his commands; at one shock they routed the enemy's squadrons, and dismounting a great many of them, run both riders and horses through with their

their spears. Thus was the enemy's cavalry entirely defeated. Then they charged their foot, and sent intelligence of what they had done to the consuls, who had pushed the wings that opposed them. This news animated the Romans extremely, who were gaining ground, and struck terror into the *Æqui* who were giving way. The victory begun in the centre of the army, where the horse had broke through, and put the ranks in disorder. Then their left wing was broke by Quinctius ; but the action was hotter on the right. There Agrippa, in full heat of youth and strength, seeing success attended the Romans every where, but where he acted, snatched the ensigns from those who carried them, and advancing with them himself, began to throw some of them amongst the thickest of the enemy. Then his troops, roused with the fear of shamefully losing them, made a vigorous charge. And thus the victory was rendered complete on all sides. Then came a messenger from Quinctius, to inform them that he was ready to attack the enemy's camp, but would not break in till he knew they had conquered in the left wing. If they had routed their enemies, he ordered them immediately to come and join him, that the whole army might equally partake of the spoil. Agrippa, now victorious, advanced, with mutual gratulations, to his colleague, and the enemy's camp ; and having soon routed the few that defended it, broke over the entrenchment without fighting. There the army got a great booty ; and having recovered their own effects, which they had lost in the plunder of their country, brought all back together. I do not find that the consuls either demanded, or the senate decreed them a triumph. Nor is there any reason assigned, why they either refused or did not expect this mark of distinction. But as far as I can conjecture at this distance of time,

time, seeing the senate had denied a triumph to the consuls Valerius and Horatius, who, besides defeating the *Aequi* and *Volsci*, had the glory too of putting an end to the Sabine war; the modesty of the present consuls, who had done but half that work, hindered them from suing for one. Besides, had they obtained it, the senate would in that case have seemed more to have respected persons, than merit.

CHAP. LXXI. An unjust judgment of the people, in settling some bounds of their allies, nullified this honourable victory gained over their enemies. The Aricini and Ardeates, having frequently disputed with their swords for a tract of ground, which they both pretended a right to, and wearied with many slaughters on both sides, at length agreed to submit the case to the arbitration of the Roman people. When they came to solicit their cause, the magistrates convened an assembly of the people, where it was pleaded with great warmth. When the witnesses had been heard, and the tribes were just upon the point of voting, an aged plebeian, P. Scaptius rose up, and said, " If, consuls, " I may be allowed to speak for the interest of the " state, I will not suffer the people to err in this " cause." When the consuls would neither hear nor regard him, and commanded him to be removed as he was exclaiming that the public interest was betrayed, he appealed to the tribunes. They, being always rather governed by the multitude than the multitude by them, gave Scaptius leave to say what he pleased to the people, who were very desirous to hear him. Then he begun, " I " am now eighty-three years old. I have fought " in that very territory now in question: I was " not young at that time, for I had made twenty " campaigns before the battle of Corioli. Where- " fore

“ fore I will relate this affair, which, though  
“ through length of time forgot by others, is still  
“ fresh in my memory. The district in dispute  
“ belonged to Corioli, and on the taking of that  
“ city, by the right of conquest became the pu-  
“ blic property of the Roman people. He was  
“ surprised, on what ground the Aricini and Ar-  
“ deates, who had never claimed this territory,  
“ while the state of Corioli subsisted, could hope  
“ to carry it off from its legal owners, the Ro-  
“ mans, and instead of owning their title had  
“ made them arbitrators in the case. He had  
“ but a short while to live. Yet though he was  
“ old he could not forbear to claim by his voice,  
“ which was the only method in his power,  
“ that territory, which while a soldier he had  
“ helped by his bravery to conquer. And he  
“ caustily advised the Romans not to prejudice  
“ their interest by a mistaken modesty.”

CHAP. LXXII. The consuls perceiving, that Scaptius was not only listened to with attention, but even with approbation, called gods and men to witness that they were committing a most hainous injustice. Then they sent for the principal senators, and with them went round among the tribunes, and conjured them, “ not to suffer this crying iniquity, but worse precedent, for judges to make themselves parties in the cause. They should consider, that even though it were justifiable for judges to mind their own advantage; yet surely they would not gain so much by the acquisition of this territory, as they would lose by alienating the minds of their allies by this notorious injustice. Loss in point of reputation and integrity was greater than possibly could be imagined. Shall their deputies carry home this news? Shall they spread “ it

“ it abroad? Shall our allies hear of it? Nay,  
“ shall our enemies hear of it? What grief will  
“ it occasion among the former? what rejoic-  
“ cing among the latter? Did they think the  
“ neighbouring nations would impute it to that  
“ pratling dotard Scaptius? His name indeed  
“ will be made famous by the representation of  
“ this deed; but the Romans would bear the  
“ character of cunning promoters and barrators,  
“ who carry off the profits of other mens law-suits.  
“ For what judge, even in a private affair, would  
“ adjudge the thing in dispute to himself? No!  
“ Scaptius himself, though he had outlived all  
“ shame, would not be guilty of this.” Thus  
did the consuls and senators exclaim against what  
was doing; but avarice, and its abettor Scaptius,  
prevailed. The tribes being assembled, adjudged  
“ the territory to be the public property of the  
“ Roman people.” And it is agreed it ought to  
have been so, had the affair been referred to other  
judges; but in the present case the justice of their  
cause does not lessen the infamy of their sentence.  
Nor did it appear more iniquitous or give more  
concern to the Aricini and Ardeates themselves,  
than to the Roman senators. The remaining part  
of the year was free from all disturbance either at  
home or abroad.

*The End of the FIRST VOLUME.*

*Edinburgh, August 1. 1761.*

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